

MORALITY AND SELF-INTEREST  
IN PROTAGORAS  
ANTIPHON AND DEMOCRITUS

# PHILOSOPHIA ANTIQUA

A SERIES OF MONOGRAPHS  
ON ANCIENT PHILOSOPHY

EDITED BY

W. J. VERDENIUS AND J. C. M. VAN WINDEN

VOLUME XLIII

M. NILL

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IN PROTAGORAS  
ANTIPHON AND DEMOCRITUS



LEIDEN  
E. J. BRILL  
1985

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BY

MICHAEL NILL



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ISBN 90 04 07319 1

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PRINTED IN THE NETHERLANDS BY E.J. BRILL



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*To my Mother  
and the memory of my Father*

## ACKNOWLEDGEMENTS

I am in the enviable position of having benefited from far too many teachers to mention individually. I trust, however, that they will recognize themselves in this, a general statement of my gratitude for the members of the faculty who contributed so much to my intellectual development at Fordham College, Johns Hopkins University, and The University of Texas. My only hope is that on occasion I similarly inspire my own students. This present study represents a reworking of my dissertation written at The University of Texas at Austin. It would not be possible to express adequate thanks to the chairman of my dissertation committee, Michael Gagarin. Without his continuing help, encouragement, and direction this book would simply not exist. Richard Rodewald, also a member of the committee, has been a friend and mentor with whom I spent many hours discussing modern philosophical views relevant to the issues raised in this study. Special thanks are also owed to the remaining members of the committee: Douglass Parker, David Armstrong, and Paul Woodruff. In regard to stylistic and editing matters, Kevin Toon worked tirelessly and selflessly, well beyond what anyone could expect from a friend. And finally, I must express my gratitude for the support and patience of my wife Lisa Roberts.

M.N.

Dallas, Texas  
July 1984

## CHAPTER ONE

### INTRODUCTION

One of Plato's major concerns in his moral theory was to show that acting morally benefits agents and promotes their self-interest.<sup>1</sup> The issue of whether morality and self-interest are compatible is one which Plato inherited from his predecessors. And indeed, it is an issue which has been important throughout the history of moral theory. The reason for its importance is the plausibility of the view that an action is rational only if it can be justified on grounds of self-interest, that is, on egoistic grounds.

According to this view – and it is a commonly-held one – altruistic acts are not rational and agents have no reason to perform them. This, of course, raises a serious problem for the moral philosopher since morality requires other-regarding behavior; that is, it requires that one regard the interests and claims of others. Moral theorists who subscribe to the above notion of rationality and who have an interest in showing that there are reasons to be moral need to argue that moral action is, in fact, instrumental in promoting one's own good. If this view can be successfully defended, agents would have egoistic, self-interested reasons to be moral.<sup>2</sup>

Whether or not agents do have such reasons to be moral was a question of importance for Protagoras, Antiphon, and Democritus; and the aim of this present study is to provide a detailed analysis and evaluation of what these three predecessors of Plato had to say about the compatibility of morality and self-interest. Such an analysis has not been undertaken before<sup>3</sup> and is clearly needed since their views are both of philosophical importance in themselves and almost certainly influenced Plato.

What I shall mean by 'morality' in this study is other-regarding behavior involving regard for the interests and welfare of others. It is my view that the Greeks of the fifth century did, *in effect*, have such a notion of morality, despite the fact that they did not have words for 'morality' or 'moral requirements'. As I argue, the theorists to be discussed thought that the laws of a political community prescribe cooperative, other-regarding behavior consisting of regard for the interests of others and that the laws spell out the specific interests of others which one is to regard. In effect, then, laws embody moral requirements; and in obeying them, one is acting in accord with the moral (disinterested) point of view. Since these moral requirements prescribe other-regarding behavior, they could easily be seen to conflict – at the very least – with one's *apparent* self-interest. It is thus not surprising that the early Greek moral theorists were concerned with the issue of whether morality (the moral point of view) is compatible with self-interest (the prudential point of view). By modern standards, of course, these theorists did not have an adequate understanding of the concept of morality. At any rate, in discussing their theories, I will have to adopt terminology which they themselves did not use.

The views of Protagoras, Antiphon, and Democritus will be discussed respectively in that order since there is a logical progression in their views and a steady advance in their understanding of the issue of the compatibility of morality and a person's own good. Further, Antiphon's theory presupposes the views of Protagoras; and Democritus' theory presupposes the views of both Protagoras and Antiphon. That there is a logical progression in their theories provides, I think, a good reason for supposing that their theories were, in fact, formulated in the order in which I discuss them; and such a view accords well with the generally accepted belief that Antiphon was a younger contemporary of Protagoras and an older contemporary of Democritus. However, I shall not be concerned in this study with questions of dating. These theorists were, roughly speaking, contemporaries; for the most part their dates cannot be fixed with certainty, nor is certainty possible in determining when they formulated and publicized their theories. My thesis that there is a logical progression in their views does not require that they were directly aware of and directly responding to each other. The ideas they were discussing were current in the second half of the fifth century; and it is quite possible, for example, that there were others who held views similar to Antiphon's and that Democritus was directly responding to *their* views. For convenience, however, I shall write as if these theorists were directly responding to each other.

In summary form, the progression of their thought as I see it is as follows: Protagoras defended the view that moral requirements always ought to be obeyed by arguing that they are a necessary condition for a political community and hence for each person's survival and that in a well-functioning political community, one's moral actions will be reciprocated.<sup>4</sup> There are, however, two major weaknesses in his moral theory: (1) it does not adequately ground the content of morality – or, in other words, it does not provide a satisfactory account of what actions are to count as moral or immoral – and (2) it presents seriously inadequate arguments for the view that acting morally benefits the agent. The second weakness turned out to be the crucial one; but Protagoras may have been, at most, only dimly aware of this weakness in his theory: the nature of his arguments in defense of moral action suggests that he was not aware of the complex issues raised by the question of whether morality and a person's good are compatible.

Antiphon, on the other hand, was well aware of these issues. He pointed out the two weaknesses in Protagoras' theory, collapsed the first weakness into the second, and argued that acting in accord with moral requirements does not always contribute to an agent's good. Hence he rejected the view that these requirements always ought to be obeyed. Antiphon's role was an important one: he shifted the focus of moral theory to the issue of what is good for persons (agents) and prepared the way for others to see how they might go about arguing that moral actions do, in fact, contribute to an agent's good.

Democritus' view of what constitutes true self-interest differed markedly from Antiphon's. He adopted a refined, largely inner conception of the good for persons and argued that acting morally promotes that inner good. Hence it was his view that moral requirements always ought to be obeyed. Democritus anticipated the approach Plato used to defend the view that moral action benefits the agent.

My analysis will show that these theorists, particularly Antiphon and Democritus, argued systematically for their views. Indeed, it will be seen that they fully laid out the central issues and many of the arguments which are relevant to the question of the relationship between morality and a person's egoistic good. As will be seen, focusing on what these theorists had to say about this question makes it possible to clarify many of their claims, claims which had previously often been thought to be philosophically ungrounded, obscure, or even trivial.

This study does not presuppose that the reader knows Greek; and it has been written so as to be useful and intelligible to both classicists and philosophers. Although it will primarily be of importance to those who have an interest in early Greek moral theory, it has implications which, I trust, will make it of value for students of Plato and for cultural historians interested in Ancient Greek attitudes about morality. And finally, this study will be of interest to moral philosophers, particularly those who are concerned with reasons to be moral; for it provides an overview of the issues involved in arguing for the view that agents have self-interested reasons to be moral. And insofar as this study illustrates just how difficult it is to argue for this view, it suggests reasons for why some moral philosophers have felt the need to turn to alternative conceptions of rationality according to which agents can still have reasons to perform certain actions even though they do not have self-interested reasons for doing so.<sup>5</sup>

The fragments of all the Pre-Socratics, including Protagoras, Antiphon, and Democritus are collected in Diels-Kranz, *Die Fragmente der Vorsokratiker*. These fragments are translated into English by K. Freeman in *Ancilla to the Pre-Socratic Philosophers*. *The Older Sophists* (edited by R. Sprague) contains English translations of the fragments of all the Sophists, including those of Protagoras, Antiphon, the Anonymus Iamblichi, the anonymous author of the *Dissoi Logoi*, and Critias, but not those of Democritus since he is not considered a Sophist. The fragments of Antiphon are translated in the *Older Sophists* by J.S. Morrison. And one final note: My translations of Antiphon and Democritus in this study are generally closely based on those of Morrison and Freeman.

## CHAPTER TWO

### PROTAGORAS

Despite the fact that Protagoras (c. 490-420 B.C.) was perhaps the most famous of the fifth-century Sophists and spent forty years in teaching, writing, and lecturing,<sup>1</sup> what survives of his *ipsissima verba* is at best eight fragments, of which only one is longer than a sentence. Only two of the fragments are of serious scholarly import: fr. 4 in which Protagoras expresses agnosticism about the existence of the gods and fr. 1 in which he remarks that "man is the measure of all things."

None of the fragments deals directly with moral theory. Our knowledge of what Protagoras had to say about moral issues, and even that he had anything to say at all, comes from Plato's accounts in the *Protagoras* and *Theaetetus*. This raises serious interpretive problems. Protagoras' moral thought is embedded in dialogues of an author who - as has often been remarked - was not on the whole sympathetic to the Sophists. There is danger that Plato, a philosopher and not an historian, may have distorted the views of the historical Protagoras by making his arguments weaker than they originally were, couching his thought in language that he did not use, attributing to him theories which he did not hold, or raising topics which he did not consider. The extent of Platonic distortion is the subject of much scholarly disagreement. However, even if - as I believe - the distortion is minimal, Plato's account of Protagoras cannot be taken at face value. Consequently, I shall attribute to Protagoras only those moral claims likely to have been made by him, given the parameters of moral thought current during his lifetime and given the evidence about his life and public role. But of course, precision in separating Protagoras from Plato is not possible.

A further difficulty in interpreting Protagorean moral theory arises because of the apparent discrepancy between Plato's accounts in the *Protagoras* and *Theaetetus*. In the latter dialogue the main subject is epistemology, and a significant portion of it is concerned with the ramifications of Protagoras' man-measure principle (the principle that man is the measure of all things). Many scholars have argued that this principle makes Protagoras a skeptical relativist. Now if Protagoras indeed claimed that there is no non-relative knowledge of the perceivable world, he must also have been, or at least ought to have been, committed to relativism in moral matters.<sup>2</sup> In the *Protagoras*, however, where the main subject is moral theory, there is no mention of Protagoras' relativism, or certainly no direct mention. This discrepancy has been the cause of much debate. I shall not follow the approach of those commentators who adopt a skeptical interpretation of the man-measure principle as their starting point for analyzing Protagoras' moral theory. This approach assumes too much before one even begins to analyze Protagoras' moral views. After all, it is not even certain that the man-measure principle ought to be interpreted as a doctrine of skeptical relativism; and even if it was such a doctrine, there is no historical evidence to indicate that Protagoras applied it to ethical matters.<sup>3</sup> Thus, my approach will be



to give separate, independent analyses of Protagoras' positions in the *Protagoras* and in the *Theaetetus* and then to discuss whether there are conflicts between Protagoras' views in the two dialogues and whether these conflicts can be reconciled.<sup>4</sup>

### *Part I: Overall Moral Theory*

The *Protagoras* portrays a dramatic confrontation between Socrates and Protagoras. The subject matter of the dialogue is the nature of *arete* (excellence, virtue), and in particular its relationship to knowledge (*sophia* or *episteme*) and its teachability. In the first part of the dialogue (309a-320c), Socrates discusses with his friend Hippocrates the advisability of the latter's becoming a student of Protagoras. After some initial talk about what Protagoras teaches, the two go to the house of Callias to talk with Protagoras directly. At this point, Protagoras briefly discusses his role as a Sophist and suggests that Hippocrates will do well to study with him. Socrates then expresses doubt about the teachability of the *arete* Protagoras claims to teach. In the second part of the dialogue (320c-328d), Protagoras attempts to answer Socrates' doubts about the teachability of *arete* in a lengthy myth (320c-322d) and *logos* (322d-328d) commonly referred to as the Great Speech.<sup>5</sup> In the third and final part of the dialogue (328d-362a), Socrates and Protagoras discuss the nature of *arete*, a discussion prompted by Socrates' desire to know what relationship Protagoras sees between *arete* itself and the individual *aretai* (virtues) like justice (*dikaiosyne*) and moderation (*sophrosyne*).

If anywhere, it will be in the Great Speech where the historical Protagoras' views about *arete* and moral questions will be found. In Part I of this chapter, my approach will be to detail and analyze the explicit and implicit moral claims made in the Great Speech. But it will also be necessary to discuss which of these claims can reasonably be attributed to the historical Protagoras, a task which is significantly complicated by the forced context of the speech. Protagoras must direct his discussion and arguments to meet Socrates' objections to the teachability of *arete*; that is, Protagoras' specific task is to demonstrate that the *arete* he claims to teach is, in fact, teachable. Both Protagoras and Socrates agree that this *arete* includes the political skill of deliberation about public affairs. Socrates argues that the Athenians do not believe this deliberation is a teachable skill because they allow all members of the political community to deliberate and recognize no special experts. For Socrates, then, an *arete* or skill is teachable only if there are (or can be) knowledgeable experts, as is the case with skills like shipbuilding, shoemaking, sculpting, and so forth. Protagoras accepts this assumption. Socrates and Protagoras also both accept the assumption that the Athenians are wise.<sup>6</sup> Given these assumptions, Protagoras must demonstrate that the Athenians are justified in allowing all to deliberate, that Socrates is wrong to think the Athenians believe political deliberation is not a teachable skill, that the Athenians do have this skill, that they have learned it, and that he himself teaches it. It is thus within this fundamentally restricted and peculiar context that the moral claims of the Great Speech emerge. As we shall see, this context significantly shapes some of these claims. And given that the historical Protagoras is not likely to have discussed moral and political issues in the context of Socra-

tes' objections to the teachability of *arete*, it is quite possible that as a result of this, some of the moral claims and arguments in the Great Speech distort the views of the historical Protagoras. This possibility will be stronger in cases where these claims and arguments cannot be reasonably attributed to the historical Protagoras on grounds independent of their role in meeting Socrates' specific objections to the teachability of *arete*.<sup>7</sup> These considerations will need to be kept in mind in the following discussion of Protagoras' views.

One of the fundamental tenets of the Great Speech is that moral *arete* is a necessary condition for the existence and survival of political communities (cities). Protagoras attempts to establish this claim in the context of a myth in which he gives a bi-level account of the history of human survival. On the first level, survival mainly consists of obtaining those things necessary for subsistence like food, shelter, and clothing. Such things are obtained through *demiourgike technē* (technical or craft skill) which, along with fire, was originally a gift to man from Prometheus (321c-d, 322a-b). The first stage of man's development is pre-political: he does not yet live in cities or political communities (322a-b).<sup>8</sup> In time, however, man discovered that he needed additional skills since *demiourgike technē* was inadequate to secure protection against wild beasts (322b). Man now enters the second stage of human survival. To secure protection against wild animals, he needed *politike technē*, that is, the skill to live in a *polis*, because the 'war' against wild animals required cooperative group effort (322b). Banding together into cities was a question of survival (*soteria*) for man, but the first attempts were unsuccessful: men injured (or committed injustices against) each other because they lacked *politike technē* (322b). Zeus finally provided men with this *technē*, specifically, the moral *aretai* or skills of *dike* (justice) and *aidos* (respect) (322c). These *aretai* are quite clearly moral since they are precisely the qualities which allow men to live in harmony with each other, regard each other's interests, and pursue common aims: in the first instance, the aim of defending themselves against wild beasts. Thus the moral *aretai* of *dike* and *aidos* constitute *politike technē* and are necessary conditions for human survival and the existence of cities.

Protagoras then further claims that this *technē* was distributed by Zeus<sup>9</sup> to everyone, and not random individuals, because it is necessary that all share this skill or otherwise there would be no political communities or cities (322c-d, 324d-e).<sup>10</sup> Indeed, Zeus established the law (*nomos*) that anyone not capable of sharing in *dike* and *aidos* is to be killed (322d).

The moral *aretai* which constitute *politike technē* also constitute human *arete*. In the myth proper of the Great Speech (320c-322d), those *aretai* are *dike* and *aidos*. In the post-myth section of the Great Speech, the specific *aretai* mentioned are *dikaiosyne* (justice), *sophrosyne* (moderation, sound judgment, temperance), and *to hosion* (piety, holiness). We need not think of this as a complete list, but merely the *aretai* which Protagoras singles out. But at any rate, it is these three *aretai* which Protagoras marks out as constituting human *arete* or excellence (324e-325a). For Protagoras then, the specific excellence of man consists of his ability to function well in a political community: man is fundamentally a political being.

Since the existence of cities is necessary for each person's survival and since it is

precisely the exercise of moral *arete* that makes cities possible, it is clear that Protagoras holds that moral requirements ought to be obeyed and that the 'ought' in his view is to be understood in a prudential, and not a normative sense. Thus, to the extent that Protagoras was aware of the issues involved, it was his view that these requirements ought to be obeyed by virtue of the fact that rational self-interest requires such action, and not by virtue of the normative judgment that moral considerations should override all other considerations; for example, etiquette, custom, artistic merit, and, most importantly, self-interest. And since, on my view, none of the three theorists discussed in this study would have claimed that one ought to be moral apart from the belief that such action promotes self-interest, when I refer to this claim, I shall be using the 'ought' in a prudential sense unless otherwise specified. I shall frequently refer to this claim as the claim that moral requirements are rational, and shall, of course, mean by that that they are rational from the prudential point of view.

Protagoras further believes that the requirements of morality or moral *arete* are embodied in the laws (*nomoi*) of political communities. That he holds this view can readily be seen from his description of the stages of educating someone from infancy to adulthood (325c-326a). At the earliest stage of education, parents, nurses, and tutors attempt to guide the child by repeatedly pointing out to him what is just or unjust, noble or base; if the child does not obey or pursue what is noble and just, they punish him or straighten him out (*euthynein*) with threats or blows (325c-d). At all stages of education the goal is the development of moral excellence. For example, one of the goals of training the body is to make sure that one will not be prevented from being courageous because of weakness of body (326c); the study of poetry is useful because the poets provide models of good men (*agathoi*) for students to imitate (325e-326a).<sup>11</sup> At the final stage of education, the teacher is the city itself; and what it compels the person to do is to obey the *nomoi*. In effect, Protagoras is saying that the role of the city is moral: its function is to make good men. And since human *arete* is equivalent to *politike arete*, the city and laws make citizens good men because they teach them those *aretai* specifically needed to be members of a political community.

Another indication of the moral content of *nomoi* in the Great Speech is that the words '*ta dikaia*' (things which are just) and '*ta nomima*' (things which are lawful/customary) are linked together in the coordinate expression '*ta dikaia kai ta nomima*' (327a, 327b).<sup>12</sup> It is, in fact, the system of a city's *dikaia* and *nomima* which the citizens teach each other and encourage each other to obey. In linking *ta nomima* and *ta dikaia*, Protagoras is suggesting that these two notions are overlapping, if not actually identical. He was not, of course, unique among the Ancient Greeks in seeing a close connection between *nomos* and justice.<sup>13</sup> As early as the seventh century, Hesiod remarked,

The son of Cronus established this *nomos* for men, that fishes, beasts, and birds should devour one another, for *dike* (right, justice) is not in them; but to mankind he gave *dike* ....

(*Works and Days* 276-279; see also  
Euripides *Hecuba* 799-801; Pindar, fr. 215<sup>14</sup>)

The *nomos* for man is not to devour other human beings; that is, *nomos* embodies the requirement that one act justly or with regard for the interests of others, however the law spells out the interests of others which are to be regarded. This view, in essence, was adopted by the Greek social contract theorists – or at least this is what Glaucon's account of them in *Republic II* (358e-359a) indicates. According to Glaucon, they believed that in order to avoid mutual injury, men originally made a compact with one another not to commit or suffer injustice (injury). This compact was the beginning of laws; and the prescriptions embodied in laws were called *nomima kai dikaia*.

That laws on Protagoras' view embody moral requirements and promote what is advantageous to the survival and maintenance of a political community strongly suggests he also believed that political deliberation was in large part concerned with moral issues. This belief, together with his view that all citizens of a political community possess moral *arete*, apparently is the basis for his claim that the Athenians rightly think all citizens are competent to deliberate about (and manage) public affairs (323a, 323c). However, he explicitly justifies this claim only on the basis of all citizens having moral *arete*. In any case, in making this claim, he is arguing that moral *arete* is a sufficient condition for competently deliberating about, making decisions about, and managing public business; nowhere in the Great Speech does he say that anything else is needed. And finally, in arguing that moral *aretai* secure what is, in fact, beneficial to the city and that citizens deliberate about what is advantageous to the city, Protagoras implies that what is advantageous to the city and the moral requirements which secure that advantage are in some sense objects of knowledge.

There are, however, two major difficulties with the positions of Protagoras thus far discussed. The first one concerns certain serious problems and weaknesses in his claim that moral *arete* is a necessary condition for human survival and the existence of cities. To begin with, he seems to think that this claim involves the notion that *all* members of an existing political community must be and, in fact, are just (moral). At least he adopts this position at 323a2-3, 324d7-325a5, and 326e8-327a2. It is important to note here exactly what Protagoras is claiming. He is not saying, as C.C.W. Taylor observes,<sup>15</sup> that the existence of cities requires that all *be required* to be just (universal normative requirement), but rather that the existence of cities requires that all *be just* (universal factual requirement).<sup>16</sup> It would follow from Protagoras' claim that every person in a community would have sufficient reason always to be moral; but the claim itself would seem to be patently false: the existence of a political community does not require that (literally) all its members be (perfectly) just or moral.

On the other hand, there are a number of indications which suggest that Protagoras did not believe that all members of a political community are, in fact, moral. In two passages of the post-Great Speech section (329e, 349d), Protagoras tells Socrates that many men do not possess all of the moral *aretai*; for example, many men have the virtue of courage, but not that of justice. This view implies that Protagoras recognizes the fact that a city continues to exist despite the presence in it of those who act unjustly. The Great Speech itself presents similar evidence. At

323c, in remarking that all members of a political community possess moral *arete* to some extent, he implies that some citizens are more just than others. This position is actually argued for at 326e-327c, where Protagoras attempts to account for the fact that some sons turn out morally worse than their fathers by drawing an analogy between moral and fluteplaying skills. If the existence of political communities depended on all being fluteplayers, then all would encourage and teach one another to be as good at fluteplaying as possible. However, not all will attain the same degree of excellence in this craft. The degree of excellence will depend on the individual's nature and disposition. It is the same with justice. But in claiming that citizens possess different degrees of justice, he would seem to be strongly implying that some citizens in political communities do commit injustices.

These seemingly inconsistent views of Protagoras can be reconciled in one of three ways. First, one could argue that when Protagoras says that all are and must be just in the city, he merely means that no one is or must be *completely* unjust in a city. Thus, all citizens of a city are at least minimally just. Maintaining justice on that level would be compatible with committing some injustices. This view fits in nicely with Protagoras' claim that all men must possess some degree of justice or not live among men, that is, not live in political communities (323c).<sup>17</sup> I shall grant to Protagoras the debatable point that all citizens must be minimally just for the city to exist; but, of course, if all citizens only maintained such a minimal level of morality, the existence of the city would be precarious indeed.

The second way to reconcile Protagoras' seemingly inconsistent views is to interpret that 'all' in 'all must be and are just' to mean 'nearly everyone' or 'most people'. On this interpretation, Protagoras would be saying that most people in a political community must and do meet requirements of justice well beyond minimal levels necessary for them to continue existing in a city. This view is one of common sense: a political community would cease to exist or at least would be chaotic if most people did not generally observe moral requirements.

Third, the apparent discrepancy in his views can be reconciled by combining the above two approaches. On this interpretation, he would be saying that the existence of a city requires that (literally) all maintain a minimal level of moral behavior and that most everyone generally observes all the moral requirements embodied in the laws. This combined approach would seem to offer the most plausible account of Protagoras' views.

However, serious problems remain regardless of which of the above three interpretations one adopts in spelling out his claim that all citizens must be just for a city to exist. On any of these interpretations, any given citizen certainly would not necessarily have sufficient (self-interested) reasons to always observe moral requirements. Of course, each citizen would have such reasons if the existence of a city did require that (literally) all its citizens *be* just. But it would surely be implausible to suggest that Protagoras would have argued for such an obviously false view. In point of fact, the necessary-condition argument does not provide an individual citizen reason to maintain anything beyond the barest minimum standard of morality as long as other members of the community observe the moral requirements to a degree sufficient to secure the continued existence of the city, or perhaps to a

degree sufficient to his well-being. Protagoras' views concerning the compatibility of self-interest and morality will be analyzed fully in Part III below.

Further, the necessary-condition argument would not seem to justify the political community in imposing anything beyond minimal moral requirements on its members. It is true that these requirements are not as minimal as those which (literally) all must and do meet in a political community, but these requirements are fairly minimal insofar as they only need to secure the existence and survival of a political community. The necessary-condition argument would not seem to ground moral requirements beyond this fairly minimal level. As C.C.W. Taylor notes, "This position is clearly unsatisfactory, as it leaves Protagoras no ground for moral criticism of the institutions of any state, no matter how cruel, unjust, etc., provided only that that state retains enough social cohesion to ensure its continued survival."<sup>18</sup> In Part II of this chapter, I discuss in detail how Protagoras grounds moral requirements.

In short then, an analysis of Protagoras' necessary-condition argument reveals that he has provided a seriously deficient defense of moral requirements. But while it must be admitted that his argument does not, in fact, justify the imposition and maintenance of adequate levels of morality, Protagoras in the Great Speech clearly seems to believe that his argument does offer such justification. That is, he seems to believe that he has demonstrated (1) that the political community is justified in imposing moral requirements well beyond the minimal level necessary for the survival of the community, (2) that citizens have sufficient reason to observe them, and (3) that the content of moral requirements has been sufficiently grounded. To justify any of these claims he would have to go beyond his necessary-condition argument. Whether he did so is a difficult question which will be addressed later.

In addition to problems arising from the necessary-condition argument, there is a second major difficulty with Protagoras' views in the Great Speech. At issue here is the problematic claim that moral *arete* is a sufficient condition for *politike techne*, where that *techne* is understood to include the skill of managing and advising a city. In making this claim, Protagoras is recognizing no distinction between the *politike techne* of being good at politics, a skill which enables one to give advice about and manage the affairs of a political community, and the *politike techne* of being a good citizen, a skill which enables one to live cooperatively with others in a city.<sup>19</sup> Protagoras needs to uphold the sufficient-condition claim and collapse the two senses of *politike techne* precisely for reasons of meeting some of Socrates' doubts or objections about the teachability of *arete*. That is, in arguing (1) that being a good citizen entails that one has the skill of being good at politics and (2) that all members of a political community *de facto* possess the skill of being good citizens, Protagoras believes that he has not only shown that the Athenians are correct to allow all members of the political community to deliberate (and manage), but also that all the citizens possess *techne*. Socrates, of course, had suggested that the Athenians, in deliberating, do not possess *techne*. The sufficient-condition claim makes a very strong claim for the role of moral *arete* in a political community, much stronger than the claim that moral *arete* is a necessary condition for advising and running the city. If it is simply a *necessary* condition, moral *arete* has priority

in the sense that, in managing and giving advice, requirements of moral *arete* need to be observed. But when Protagoras argues that moral *arete* is also a *sufficient* condition, he adopts the view that moral *arete* alone makes one competent to manage a city. And given that he gives no hint that there is any skill that one needs in addition to moral *arete* in order to have superior ability in managing a city, he seems to adopt the view that those who are morally better are *ipso facto* the better counselors in the city: the degree of one's *arete* is the sole determinant of how good one is in managing and giving counsel about the affairs of the city.<sup>20</sup>

To justify the belief that moral *arete* is a sufficient condition for *politike techne*, Protagoras must argue for three very problematic claims. First, he needs to argue that one requires no special technical skill to give counsel about public affairs or manage a city. While Protagoras assumes this in the Great Speech, it does not seem to me to be a position which the historical Protagoras is likely to have held. It is true, of course, that in fifth-century Athenian democracy the distinction between being a good citizen and being good at politics (being a good statesman) was less clear cut than it is for us, given that Athenian citizens were members of the deliberative assembly and could find themselves from time to time performing executive functions.<sup>21</sup> But as C.C.W. Taylor remarks, "even when allowance has been made for the difference between an ancient democratic city-state and a modern democracy, the simple identification of the notions of good statesman and good citizen embodies a serious confusion."<sup>22</sup> We can safely assume that even in fifth-century Athens the cooperative excellences required by an average citizen were not the same and were not thought to be the same as the excellences required of Pericles. The historical Protagoras certainly would have been aware of this. Even if it was commonly believed that the qualities of good statesmanship were shared equally by all citizens, this by no means would entail the belief that these qualities are to be identified with moral qualities. In the pre-Great Speech section of the *Protagoras*, Protagoras remarks that he provides his students with the greatest possible proficiency in speaking and acting in the affairs of the city (318e-319a), the very kind of proficiency Thucydides attributed to Pericles (I.139.4). These political skills are not moral *aretai*, although they certainly need not be incompatible with acting morally. The historical Protagoras' interest in teaching rhetoric and proficiency in speech indicates that he was specifically interested in providing students with the *politike techne* of being good at politics. He could not have thought this *techne* reducible to moral *arete*. Given this and given the fact that the two notions of *techne* are collapsed in the Great Speech specifically for the purpose of meeting Socrates' objections to the teachability of *arete*, it is likely that the Great Speech distorts the views of the historical Protagoras on this issue.

The second thing Protagoras needs to argue for to justify his sufficient-condition claim is that political deliberation is substantially concerned with moral issues. When deliberation would be about anything else, the possession of moral *arete* alone would not qualify one to deliberate. As we have seen, Protagoras in the Great Speech does hold that political deliberation is in large part concerned with moral issues on grounds that citizens deliberate about laws embodying moral requirements. And since this view is consonant with Ancient Greek attitudes, there is strong

initial reason for attributing it to the historical Protagoras. His view is plausible for cases where deliberation concerns the regulation of actions which affect others, but it cannot be pushed too far: there are obvious non-moral aspects to deliberation and legislation as well. In point of fact, Protagoras' view neither establishes nor implies the claim that moral *arete* is a sufficient condition for *politike technē*, where that *technē* includes the skill of deliberating about and managing public business.

The third thing Protagoras needs to argue for to justify his sufficient-condition claim is that all members of the political community – by virtue of possessing moral *arete* – are sufficiently knowledgeable and competent to deliberate about public policies. Protagoras makes a feeble attempt to argue for this in response to Socrates' objections to the teachability of *arete*. In the section immediately preceding the Great Speech, Socrates lays out, albeit in general and vague terms, what kind of expertise he thinks one needs in order to be qualified to give advice (319b-c). In giving advice about matters requiring *demiourgike technē* (e.g., construction of ships and buildings), one must have relevant technical knowledge. The Athenians, Socrates claims, recognize this; and when they need advice about such things, they call in a shipwright or architect. But when they need advice about non-demiourgic matters, that is, matters of moral *arete* or *politike technē*, they wisely recognize no experts and consequently allow all citizens to give advice. Socrates does not spell out what kind of knowledge is involved in *demiourgike technē*; but at the very least, a craftsman would need to know and be able to teach the methods or techniques by which he successfully executes his craft.

The upshot of this passage is that Socrates ironically rejects a position which he strongly argues for in other dialogues; namely, that there is an analogy between virtue (*arete*) and craft (*technē*). He suggests that, unlike technical skills, *politike technē* or moral *arete* lacks methods which are objects of knowledge and hence teachable. In asking Protagoras to demonstrate that the *arete* he claims to teach is, in fact, teachable, Socrates challenges Protagoras to demonstrate an analogy between virtue and craft. Protagoras takes up this challenge and (ironically?) adopts the virtue-craft analogy. He suggests that all the Athenian citizens are moral and hence have knowledge of *politike technē* in the same sense that each craftsman has knowledge of his craft. Protagoras thus commits himself to the view that citizens have knowledge of the methods of *politike technē*. By virtue of knowing these methods, citizens would know what policies and laws ought to be adopted in order to promote the advantage of the political community.

However, all that Protagoras actually shows is that all citizens have knowledge and awareness of current community standards of morality. But, of course, awareness of and action in accord with community standards do not entail knowledge of the methods of *politike technē* or knowledge of what laws and moral requirements ought to be enforced in addition to those currently enforced. Thus, while Protagoras accepts Socrates' challenge to show that citizens are competent to deliberate in the same sense as an architect, for example, is competent to design buildings, the nature of Socrates' challenge is such that Protagoras cannot meet it. And beyond the forced context of the Great Speech, there is no evidence that the historical Protagoras had or thought he had a theory which could meet it or that he adopted a Socratic virtue-craft analogy.



The best Protagoras could do, it seems to me, would be to argue that since citizens are aware of current moral requirements which, in fact, promote what is advantageous to the survival of the political community, they would know what sorts of things would work in the future. But even if one granted the dubious view that their knowledge is solely a result of their possessing moral *arete*, a further question immediately arises about whether some are wiser in these matters than others and, if so, on what basis. In Protagoras' Apology in the *Theaetetus*, 'Protagoras' does assert that some are wiser than others in seeing what would be advantageous to the political community (167c). And in the Great Speech (326d), Protagoras alludes to the laws designed by the "good lawmakers of old," according to which the city compels its citizens to live. So Protagoras did seem to hold that some citizens are wiser than others. But whatever account he gave of the special knowledge some have, it is surely highly improbable that the historical Protagoras would have thought that the ancient lawgivers and those wiser than others in deliberating only differ from ordinary citizens by virtue of being more moral. But as we have seen, he does seem to adopt this view in the Great Speech.<sup>23</sup>

It also seems unlikely that the historical Protagoras would have defended democracy on grounds that all citizens possess moral *arete*. Such a defense is unparalleled in other Greek authors. One common way of defending democracy was as follows: Assuming that people act from reasons of self-interest, if one individual or a small group of individuals has laid down what is just and lawful, then only the interests of that individual or small group will ultimately be served. Thus, democracy is the best mode of government for securing the interests of all. (See, for example, Euripides *Supplikes*, 429-462.) The historical Protagoras *may* have argued for democracy on these grounds. Perhaps Plato distorted the historical Protagoras' defense of democracy (assuming he made one) by collapsing it into Protagoras' originally quite separate account of the function of moral *arete* in a political community. Such a conjecture would account for why the Great Speech as a whole cannot be construed as a defense of democracy, or for that matter, of any particular political system.<sup>24</sup> The role of moral *arete* is the same for all political communities, regardless of their system of government.

In sum then, the sufficient-condition claim and the assumptions needed to support it involve some serious theoretical problems. And further, there are reasonable grounds for not attributing these claims to the historical Protagoras except for the claim that citizens in large part deliberate about what is advantageous to the city and *hence* about moral requirements. Many of these claims are inconsistent with what we know about his historical role, they are not found in the writings of any of his contemporaries, and they merely reflect the fact that Plato's Protagoras needs to meet Socrates' specific objections to the teachability of *arete*. The cumulative force of the arguments presented here seems quite strong; and henceforth in this study, it will be taken as given that the historical Protagoras did not make the sufficient-condition claim.

On the basis of my analysis thus far, I would submit that in the Great Speech Protagoras makes the following four important moral claims which there is no *prima facie* reason for not attributing to the historical Protagoras:

First, *moral requirements ought to be obeyed; or, in other words, moral requirements are rational* (in a prudential sense). These requirements are embodied in laws. They are moral requirements precisely because the laws regulate the behavior of citizens in such a way that citizens regard each other's interests and refrain from injuring one another. Given that Protagoras does not seem to recognize – or at least does not discuss – any particular moral prescriptions apart from their embodiment in laws, he apparently believes that the laws of a city actually define all particular moral requirements. While this implies that particular requirements will differ from city to city, the laws of each city will embody requirements which have the same purposes: the survival and maintenance of the political community. In observing these requirements, citizens will have sufficient regard for each other's interest to make possible the level of cooperation necessary for securing the survival of their community. And since political communities are necessary for each person's survival and well-being, moral requirements are rational and ought to be obeyed. At 322e-323a, Protagoras specifically says that all political deliberation must be completely guided by *dikaiosyne* and *sophrosyne*; and thus in terms of the Great Speech, he would, for example, sanction no immoral use of rhetorical skills.

Second, *the requirements of the various moral 'aretai' do not conflict*. Moral *aretai* (or at least those discussed by Protagoras) cannot be in conflict because they all function to secure what is beneficial to the survival and maintenance of the city. That Protagoras held this view is also implied in the post-Great Speech section of the dialogue when Protagoras says that the individual moral *aretai* are related to *arete* itself as the parts of a face (eyes, nose) are related to the face (329d-e).<sup>25</sup>

Third, *moral 'arete' is taught and is teachable*. This claim, of course, is what the Great Speech is designed to demonstrate. Protagoras also believes that he is especially qualified to teach moral *arete* (328a-b). Although Protagoras argues that it is learned and that no one possesses it by nature (*physis*) (323c-d), he implies that all or nearly all are by nature capable of learning it since all or nearly all in a political community possess it. But of course, all do not possess it to the same degree; and in a previously-discussed passage where an analogy is drawn between fluteplaying and being moral (327b-c), Protagoras strongly suggests that the level of excellence one achieves in moral *arete* will at least in part be dependent upon one's natural disposition.<sup>26</sup>

Fourth, *moral requirements are objects of knowledge*. These requirements are objects of knowledge in virtue of the fact that what is advantageous to the survival of the city is an object of knowledge. In some sense they are known by all members of a functioning political community. And since political deliberation is in large part concerned with moral issues, that is, with what moral requirements ought to be enforced, knowledge of what is advantageous to the city involves more than mere awareness of current moral requirements. At least some people, such as the good ancient lawgivers, seem to have superior wisdom in these matters. Although Protagoras does not spell out the relationship between knowledge and moral requirements, his theory cannot be construed as claiming that an individual can only know what *seems* advantageous or just. That is, the Protagoras of the Great Speech does not adopt the position that what *seems* just or advantageous to a city is just or advanta-

geous (for that city), a position which he is sometimes thought to adopt in the *Theaetetus*. In the *Protagoras*, the bottom line is always that the laws embody prescriptions which *are* advantageous to the city.

I would suggest then that these four claims are the major moral claims explicitly or implicitly made the Great Speech. I would also submit that with the possible exception of the fourth, these claims are *likely* to have been made by the historical Protagoras. Maguire<sup>27</sup> and Adkins,<sup>28</sup> however, argue, that the historical Protagoras was essentially not interested in moral *arete*. Such a view, if true, would mean that these claims could not be attributed to the historical Protagoras.

Maguire and Adkins base their view primarily on what they take to be a significant discrepancy between the Protagoras of the Great Speech and the Protagoras of the pre-Great Speech section of the dialogue. According to them, Protagoras of the Great Speech has an interest in moral theory and an interest in teaching it, while in the pre-Great Speech section, Protagoras is only interested in non-moral *arete*. Both Adkins and Maguire then go on to argue that the Protagoras of the pre-Great Speech section is the historical Protagoras.

Their reasons for saying this can be briefly summarized as follows: In the pre-Great Speech section, Hippocrates and Socrates agree that Protagoras attempts to make his students competent (*deinon*, clever?) in speaking (312d). Protagoras himself describes the goals and content of his instruction in terms of making his students better (316c, 318a-b), providing them with the greatest possible proficiency in speaking and acting in the affairs of the city (318e-319a), and teaching them good counsel (*euboulia*) in private and public affairs. According to Adkins and Maguire, the content of this instruction is non-moral: Protagoras trains future political leaders and provides skills needed for success. Near the end of the pre-Great Speech section (319a), Socrates summarizes the content of Protagoras' instruction. Protagoras, he says, attempts to teach *politike technē* and promises to make men good citizens (*agathoi polites*). Socrates' summary, of course, is curiously ambiguous. If the content of Protagoras' instruction is non-moral, then the *politike technē* Protagoras teaches is to be interpreted as a skill which leads to political success. Making his students good citizens would be making them into citizens who are distinguished and successful political leaders. If, on the other hand, the content of Protagoras' instruction is moral, then *politike technē* is a skill which enables people to live together in a political community and regard each other's interests. On this interpretation, making students good citizens is making them law-abiding and just. Since, according to Adkins and Maguire, the pre-Great Speech section prior to Socrates' summary indicates that Protagoras' instruction is non-moral and that this reflects the actual practice of the historical Protagoras, the *politike technē* which Protagoras teaches is non-moral. Thus, when Socrates asks Protagoras to prove to him that the *arete* and *technē* he claims to teach is, in fact, teachable (319a-c), Protagoras should defend himself by showing that the content of his non-moral instruction is teachable. What happens, however, is that Protagoras attempts to show that moral *arete* is teachable; and, further, he claims that this is the kind of *arete* he instructs his students in.

Maguire and Adkins account for this seemingly surprising reversal in different

ways. Adkins finds the Great Speech an example of a *captatio benevolentiae*, an attempt by a Sophist to please his audience.<sup>29</sup> Adkins imagines Protagoras as confronting a democratic audience suspicious of attempts to teach future leaders political skills. So Protagoras reassures this audience by making the deceitful assertion that he teaches *politike techne* in the form of moral *arete*, something a democratic audience would approve of. Adkins' position renders the moral claims and positions in the Great Speech deeply dishonest. Maguire, on the other hand, sees the shift from non-moral to moral concerns as the work of Plato's manipulation of Protagoras' thought.<sup>30</sup> That is, Plato wanted to write about moral *arete*; and so he transformed the non-moral interests of the historical Protagoras into something with a moral content. If this is what Plato did, then the moral claims in the Great Speech are irrelevant to the historical Protagoras.

The positions of Maguire and Adkins are not easily disproved, particularly in light of the fact that, traditionally, *arete* could either be moral or non-moral.<sup>31</sup> Their positions cannot be refuted by pointing out that even if Protagoras was primarily interested in training his students to be good at politics, it would not necessarily follow that he did not praise moral action. Nor can their positions be refuted by pointing out that in Ancient Greek democracy, the distinction between being good at politics and being a good citizen was not as great as it is for us. Both of these claims are true, but it does not follow from them that the moral claims of the Great Speech can plausibly be attributed to the historical Protagoras. What needs to be shown is that Protagoras had a serious interest in moral theory and that he seriously made the claim that moral requirements ought to be observed. What I mean here by 'seriously' is that he had some theoretical ground for making this claim and did not praise moral action because of fear of offending popular sentiment or because of some mere personal belief about the propriety of acting morally. If it can be demonstrated that this claim is likely to have been made by the historical Protagoras, assigning to him the other claims I suggest he made will not be controversial – with the possible exception of the claim that moral requirements are objects of knowledge.

What the views of Maguire and Adkins come to is that Protagoras is similar to a business teacher who (1) instructs his students in certain non-moral skills which will allow them to be successful in the business world and hence allow them to attain wealth, prestige, and so forth; (2) provides a course of instruction in which morality plays no essential role because he does not believe that success in the business world requires in any significant sense the exercise of moral virtue; and (3) holds one of the following additional attitudes, attitudes which do not play a role in his capacity as a teacher of non-moral skills: (a) has no opinion about whether he would like his students to act morally (or immorally); (b) personally prefers them to act morally; (c) thinks that they should act immorally whenever acting in this way would promote their interests. For an overall assessment of Protagoras it would be important to specify which of the attitudes in (3) he had. Maguire and Adkins, however, characterize Protagoras solely in terms of fitting the description in (1) and (2). But while according to them (1) and (2) describe Protagoras, according to Plato (1) and (2) describe Gorgias, and *not* Protagoras. This discrepancy needs to be explored in some detail.

The *Gorgias*, *Meno*, and *Protagoras* are the three major pre-*Republic* dialogues which discuss and defend moral *arete*. In the *Gorgias*, Gorgias himself is one of the interlocutors, in addition to Callicles and Polus. Callicles and Polus are both portrayed as being familiar enough with the views of Gorgias to be able to characterize Gorgias' 'real' attitudes about moral *arete* (461b-c, 482c-d). The views of Gorgias are also mentioned in the *Meno* (e.g., 70b-d); and Meno, Socrates' collocutor, is portrayed as being familiar with Gorgias' views. In these dialogues, Plato takes up issues raised by Gorgias' attitudes about moral *arete*. However, the problems raised there differ in significant respects from the issues and problems which Plato thinks are raised by Protagoras' attitudes about moral *arete*. And, in fact, nowhere in the Platonic corpus are the moral views of Gorgias and Protagoras linked or portrayed as being similar.

To begin with, while Protagoras not only says he teaches *arete* but also defends its teachability, Gorgias is treated by Plato as one who does not claim to teach *arete* (*Meno* 95b-c). Gorgias is, however, a teacher (*Apology* 19e, *Gorgias* 449a-b). Specifically he is a teacher of rhetoric; and, as Meno remarks, he makes men competent (*deinon*, clever?) at speaking, the very thing Adkins and Maguire claim is the substance of Protagoras' instruction. But if both Protagoras and Gorgias taught the same thing, why would the former, but not the latter, claim to teach *arete*? These conflicting claims would not seem to make sense unless understood in terms of moral *arete*. And this is precisely how Plato understands the issue. Plato's Protagoras claims to teach moral *arete*, and Plato's Gorgias neither teaches such *arete* nor claims to teach it. In the *Gorgias* (456c-457c), Gorgias recognizes that rhetorical skills can be used for immoral purposes; he disapproves of using them in this way, but if this should happen, teachers of rhetoric are not to blame. This answer does not satisfy Socrates: he wants to know whether rhetoricians, inasmuch as they speak about justice, know what is just (459c-460a; cf. 454b). Gorgias replies (1) that rhetoricians must know about justice and (2) that if his beginning students do not know about it, he teaches it to them (460a). Gorgias' answers indicate that he does teach moral *arete*, but he is clearly on the defensive. A little later in the dialogue, Polus claims that Gorgias only answered Socrates in this way because he was embarrassed to admit that he does not teach moral *arete* and that rhetoricians do not necessarily know about justice (461b-c). Plato hammers home Polus' point by having Callicles repeat it at 482c-d. No objections are raised against Polus' and Callicles' assessment of Gorgias. What this assessment means is that the content of Gorgias' instruction was non-moral; and he would only deny this to avoid saying anything which people would find displeasing. On the other hand, Plato gives no indication that Protagoras was being dishonest in claiming to teach moral *arete*. If he was being dishonest, Plato's silence is rather curious. Certainly Plato is more than willing to reveal inconsistencies and discrepancies in someone's attitudes. For example, while he pictures Protagoras as one who approves of democracy insofar as it is claimed by Protagoras that all citizens are competent to deliberate about political affairs, he also pictures Protagoras as one who has a rather low opinion of the views of the many (e.g., *Protagoras* 317a).

If Protagoras was dishonest in his claims about teaching moral *arete* and the importance of such *arete*, then he would be like Gorgias. But clearly Plato is drawing

a sharp distinction between their attitudes on moral *arete*; and because Plato draws this distinction, the issues raised in the *Gorgias* and *Meno* differ from those raised in the *Protagoras*. In the *Meno*, Meno reports that Gorgias thinks that different classes of people (men, women, slaves, the young, the old, and so forth) have their own particular *arete* (71e-72a).<sup>32</sup> The examples of *arete* Meno lists are conventional and traditional. The *arete* of a man, for example, is said to consist of the capability of managing the city, benefiting friends, harming enemies, and avoiding being mistreated. Socrates takes this as a list of non-moral *aretai* and induces Meno to add moral *aretai* to his list by suggesting that it is not possible to manage the affairs of the city and the affairs of a private household without them (73b). In other words, Socrates suggests that moral *arete* is necessary for success. Later on, he feels the need to bring up this point again when Meno suggests that *arete* is to be defined as the ability to attain what is good (*agathon*) and noble (*kalon*), where the good in question consists of non-moral goods such as wealth, health, and honor in the city (77b, 78c). Socrates induces Meno to agree that these goods must be acquired with moral *arete* without which the ability to acquire non-moral goods would not be an *arete* (78d-79a). The issue in the dialogue then becomes the relationship between moral *aretai* (necessary conditions for any *arete*) and the traditional non-moral *aretai* so dear to Meno; that is, the question becomes whether moral *aretai* are parts of *arete* or represent the whole of *arete* (78e-79c).

These then are the issues and problems which Plato thinks are raised by Gorgias' attitude to *arete*. The specific issue of the relationship between moral and non-moral *arete* is raised in the context of discussing Gorgias precisely because his instruction was non-moral, he had no theoretical ground for disapproving of immoral action, and he did not think that moral *arete* is a necessary condition for success. The *Gorgias* raises similar issues and problems. Polus claims that acting morally is more honorable than acting immorally, but his claim has the mark of mere personal opinion without any theoretical grounding (474c). He also strongly argues against moral *arete* being a necessary condition for success (e.g., 466b-c, 470d-471d). Callicles even rejects the idea that acting justly is a more honorable thing to do by insisting that acting in this way is more honorable merely from the point of view of conventional standards (482d-e). It cannot be insignificant that such views are found in a dialogue named after Gorgias. Plato's point is not that Gorgias himself was an immoralist, but that immoralism can result from Gorgias' attitudes about *arete*.

If Adkins and Maguire are correct in their interpretation of Protagoras, one would expect the discussion of *arete* in the *Protagoras* to parallel the discussion in the *Meno* or the *Gorgias*. One would at least expect Plato to hint that Protagoras' views raise the same problems as those of Gorgias'. Nothing like this happens, however. Plato makes no allusion to what Adkins and Maguire see as the fundamentally non-moral content of Protagorean instruction. He does not question Protagoras (as he questions Meno and Gorgias) about whether moral *aretai* should be included among *aretai* or about the relationship between moral and non-moral *arete*, but he allows Protagoras to deliver the Great Speech in which he emphasizes moral *arete* and argues strongly for the claim that the requirements of morality ought to be

obeyed. In the post-Great Speech section, Plato continues to picture Protagoras as someone who maintains this claim. For example, at 351b-c, when Socrates says that living pleasantly is good and living unpleasantly is bad, Protagoras responds that the good life requires restricting one's pleasures to things which are honorable (*kala*).<sup>33</sup> Here it is Protagoras himself who brings up the issue of restricting pleasures to things that are compatible with morality. This is in stark contrast to the attitude of Meno who needs to be persuaded to consider the role of moral *arete*.

In the post-Great Speech section, Plato raises two objections against Protagoras' theory. First, he claims that Protagoras fails to give an adequate account of the relationship between individual moral *aretai* and *arete* itself (329b-330b); and second, he claims Protagoras fails to provide an adequate argument for demonstrating that moral *arete* is a necessary condition for success and the good life.<sup>34</sup> Both of these objections would appropriately be made only against someone who had a serious interest in moral theory and who thought of *arete* predominantly, if not exclusively, in moral terms. These objections would not be relevant to Gorgias and his associates: They accept as fact that moral *arete* is not necessary for success; and as we have seen, the unity-of-virtue discussion in the *Meno* focuses on the relationship between a hodgepodge of non-moral and moral *aretai* and *arete* itself – and not on the relationship between individual moral *aretai* and *arete* itself.

Thus, in both the Great Speech and the post-Great Speech section of the *Protagoras*, Plato consistently portrays Protagoras as someone who took an active interest in moral theory and who seriously made the claim that moral requirements ought to be observed. I would suggest that the pre-Great Speech section is not inconsistent with this portrait. Although the descriptions of Protagoras in this section could be interpreted as indicating that the content of his instruction was non-moral (as Adkins and Maguire interpret it), in point of fact, the descriptions in themselves are neutral. However, Plato in the Great Speech is very careful to point out to the reader that the descriptions of Protagoras in the pre-Great Speech section are to be interpreted in moral terms. I shall give three examples of this. First, in the pre-Great Speech section, Socrates remarks that Hippocrates wants instruction from Protagoras in order to become distinguished or famed (*ellogimos*) in the city (316c). Nothing is said here about the relationship between being moral and being *ellogimos*. However, in the Great Speech, the word '*ellogimos*' appears again in a passage dealing with the analogy between moral *arete* and the skill of fluteplaying (327c). If fluteplaying were a necessary condition for the existence of cities, everyone would, according to Protagoras, teach each other how to play the flute. Those who develop the greatest ability in this skill will be *ellogimos*. The clear implication of this passage is that since justice is a necessary condition for the existence of cities, one becomes *ellogimos* in the city if one is superior in matters of justice. Not only is there no conflict between being moral and being distinguished, but moral action actually leads to fame. Second, in the pre-Great Speech section, Protagoras is said to teach proficiency in speech and action (312d, 319a). The relationship of this skill to morality is not specified. But in the Great Speech, in a passage dealing with the stages of education, Protagoras says that music masters are concerned to make their students gentle and useful in speech and action (326a-b). Since music masters are

said to inculcate the moral *arete* of *sophrosyne* and since all the stages of education are concerned with moral training in one form or other, this passage certainly implies that one should not exercise skills in speech and action in ways contrary to what is morally allowable. Third, in the pre-Great Speech section at 318a-b, Protagoras claims to make his students better (*beltiones*). Again it is not specified whether Protagoras attempts to make his students morally better or merely provides them with skills which will give them more prestige in the community, irrespective of whether these skills are used morally or immorally. But in the Great Speech at 325c-d, Protagoras says that mothers and fathers and tutors attempt to make children as good as possible (*beltistoi*) by teaching them what is just and unjust, noble and base. Moral education is at issue here, and this is precisely what Protagoras in the Great Speech claims to be engaged in.

If Plato took such great care in presenting a consistent portrait of Protagoras' views and in contrasting him with Gorgias, then we have strong reason to suppose that his account is, in general, historical.<sup>35</sup> Adkins' and Maguire's view requires them to argue that Plato *completely* distorted Protagoras' positions on morality and relationship to Gorgias.<sup>36</sup> As we have seen, Maguire does think Plato manipulates Protagoras' thought at this profound level. Adkins, on the other hand, suggests that Protagoras or some other Sophist actually delivered something like the Great Speech as a means of deceiving the citizens of a democratic city. Adkins' view also suggests a complete distortion by Plato because Plato portrays this deceitful speech as a serious statement of moral views.

However, I would submit that there are two reasons why it should not be thought that Plato's portrait of Protagoras is completely distorted. The first reason concerns Protagoras' interest in political theory – an interest which no one denies the historical Protagoras had. This interest makes it quite likely that the historical Protagoras would have been concerned with questions related to the necessary conditions for the existence of a city. Certainly his participation in establishing the law code of Thurii<sup>37</sup> indicates that he is likely to have been interested in the role of laws in regulating the behavior of citizens in ways advantageous to the members of the political community as a whole and hence likely to have seen that citizens need to avoid injuring one another and to regard each other's interests, however these interests be spelled out. Thus, moral *aretai* would have a natural place in his political theory. Maguire agrees that Protagoras probably had a political theory of sorts, but argues that Protagoras, like others of his age who presented progressive accounts of the development of human civilization, would have emphasized law, and not *arete*, as the culminating point in man's development, contrary to the views expressed in the Great Speech. The orthodox evolutionist view – according to Maguire – is that “it is by the instrumentality of law that justice and temperance come to be.”<sup>38</sup> That is, *nomos* did not come about as a result of pre-political “embryonic moral virtues in man,” as Maguire thinks Protagoras implies in saying that Zeus distributed *dike* and *aidos* among men so that they could found cities. Maguire sees in Protagoras' unorthodox evolutionist views one of the major, if not *the* major indication of Platonic distortion. But I fail to see the force of his argument, even if one grants his interpretation of the orthodox evolutionists. Protagoras' myth does not dwell on



embryonic moral *aretai*. It only suggests that men have a natural capacity for acting cooperatively and refraining from injuring one another. This capacity lies dormant in men unless they are members of a political community. That is, it is only through membership in a political community that men learn the specific content of moral *arete* and learn how to practice it. As Protagoras remarks,

... you must regard any man who appears to you the most unjust person ever reared among human laws and society as a just man and a craftsman of justice, if he had to stand comparison with people who lacked education and law courts and laws and any constant compulsion to the pursuit of virtue, but were a kind of wild folk such as Pherecrates the poet brought on the stage....

(327c-d)

Thus, Protagoras' views are compatible with the orthodox evolutionist view that (1) law is prior to (actualized) moral *arete* and (2) the laws define the specific content of moral *arete*. Nor are these two positions incompatible with Protagoras' myth. The myth need not be seen as saying anything more than that the laws can be effective only because men have a capacity to act cooperatively. In order to show that Protagoras, as an orthodox evolutionist, would not have been interested in moral *arete*, Maguire needs to demonstrate that Protagoras and other evolutionists did not see the importance of embodying cooperative virtues in the laws. The Great Speech, of course, indicates that Protagoras did see this; and it is certainly plausible to attribute this insight to the historical Protagoras. As we shall see, it is an insight which Democritus had, and Democritus is listed by Maguire as an orthodox evolutionist. If Democritus was capable of it, so too was Protagoras.

I would suggest then that on the basis of his political theory Protagoras could very well have thought that moral *arete* is a necessary condition for the existence of a political community, that cities are necessary for each person's survival, and hence that the requirements of moral *arete* ought to be obeyed. And since his political theory would have provided Protagoras with a ground for the claim that moral requirements are rational, there is strong ground for thinking it is likely that he did make such a claim and that he took it seriously.

I would also suggest that his interest in political theory makes it likely that the historical Protagoras is to be distinguished from Gorgias roughly in the way Plato indicates. There is no indication that Gorgias had an interest in political theory. Thus, inasmuch as Protagoras was a political theorist, he would have been concerned with moral *arete* as being something advantageous to the political community as a whole; but inasmuch as Gorgias was *not* a political theorist, he is less likely to have seen *arete* primarily in moral terms or in terms of what is advantageous to the community, and more likely to have seen it as a capacity or power an individual has to attain goods and achieve success.

In addition to the testimony of the Great Speech, there are two other passages in Plato which reinforce this view of Protagoras. First, in the *Theaetetus*, Socrates suggests that Protagoras thought the function of wise politicians and rhetoricians is to be concerned with what is advantageous to the city (167c, cf. 172a). Here again one can see the focus of Protagoras' concerns - as Plato sees them. Protagoras

thought rhetoric had a specific function in the community; he is not pictured by Plato as one who was interested in rhetoric primarily as a tool for personal success. The second passage is in the pre-Great Speech section of the *Protagoras*. At 318e-319a, Protagoras, in summing up the content of his instruction, says that he teaches *euboulia* (good counsel), a quality by which his students will be able to manage successfully both the affairs of the household and those of the political community.<sup>39</sup> Both a household and a city are composed of a community of people. If *euboulia* is a quality which allows one to manage or give good advice to these communities, it does not seem plausible to hold that successful management of either community is compatible with the promotion of the adviser's or manager's interests at the expense of the entire group. Protagoras is more likely to have thought of *euboulia* as an *arete* which enables one to know how to promote group interests. On this interpretation, *euboulia* fits in very nicely with an interest in moral *arete* since the success of any group depends on the exercise of cooperative skills. A person with *euboulia* is one who, in part, is instrumental in bringing cooperation about.

However, none of this is to say that Protagoras was not interested in teaching rhetoric or other skills which enabled his students to achieve personal success, particularly in politics. The *Protagoras* gives ample evidence that he did have such an interest (e.g., 316c-d). But insofar as his view of *arete* was grounded in his political theory, he would have thought moral *arete* necessary for personal success.<sup>40</sup>

The second reason for not holding that Plato completely distorts the views of the historical Protagoras is that the moral claims which I have suggested are likely to have been made by the historical Protagoras are consonant with the level of moral thinking reached by his contemporaries. I can be brief here because Adkins has, in effect, granted the point. That is, in arguing that the Great Speech represents something like an actual speech designed to deceive a democratic populace, Adkins assumes that the populace could have understood (at least in general) the moral terms and positions contained therein. If the audience could not have understood, then the point of making this deceptive speech is completely undercut. Adkins' judgment is to be trusted on this point since he has extensively studied and documented the history of Greek moral terms and thought.<sup>41</sup> And indeed, Protagoras' general analysis of morality in the Great Speech is far from being advanced or Platonic. Nothing in the Great Speech implies that Protagoras had a fully developed theory of moral *arete* or that he was engaged in the Socratic and Platonic task of defining moral *aretai*; nor is there any indication that Protagoras took the Platonic view that moral *arete* is a property of the soul. He seems to have viewed it only in terms of its function in political communities, a view of *arete* that was quite traditional.

### *Part II: The Grounding of Moral Requirements*

My analysis in Part I indicated that there are two central problematic features of Protagoras' moral views in the Great Speech. The first one concerns the issue of how he grounds the content of morality, that is, what basis or ground he provides for determining what actions are to count as moral or immoral. In discussing this

issue in detail in Part II of this chapter, I first analyze Protagoras' position in the *Protagoras* and then his position in the *Theaetetus*. I conclude my discussion with a comparison of these positions.

As we saw in Part I, Protagoras in the Great Speech grounds moral requirements in natural necessity. He takes it as a given of human nature that each man seeks self-preservation. This natural drive compels men to band together: because of the nature of things men cannot survive apart from cities. Protagoras implies that cities are founded by rational egoists seeking their own advantage. It is also in the nature of things – according to Protagorean theory – that the existence of any political community requires its members to maintain a certain level of cooperative behavior. For this reason, a city adopts moral requirements which are embodied in the laws.

In essence, these views are also found in the Anonymus Iamblichi (c. 400 B.C.):

If men were by nature unable to live alone, but yielding to necessity, formed an association with one another, discovered a way of life and skills related to it, and cannot associate and live with one another in a state of lawlessness (*anomia*)..., then because of these necessities *nomos* and *dike* are king among men and in no way can change; for by nature (*physis*) these things are firmly fixed.

(6.1.)

The natural-necessity argument has had a long history in political and ethical theory. Indeed, Protagoras' views are remarkably similar to the recently propounded minimal natural-law theory of H.L.A. Hart.<sup>42</sup> A brief look at the latter's views will shed light on Protagoras'.

Hart begins by describing how natural-law theories are grounded in "the teleological conception of nature as containing in itself levels of excellence which things realize".<sup>43</sup>

... in the teleological view of the world, man, like other things, is thought of as tending towards a specific optimum state or end which is set for him.... This specific human end or good is in part, like that of other living things, a condition of biological maturity and developed physical powers; but it also includes, as its distinctively human element, a development and excellence of mind and character manifested in thought and conduct.... This optimum state is not man's good because he desires it; rather he desires it because it is already his natural end.<sup>44</sup>

It was upon this understanding of teleology that natural-law theories were devised. Hart dismisses the metaphysical trappings of such a view, as well as ruling out of consideration excellences of mind and character. But he wants to salvage something from natural-law theory:

What makes sense of this mode of thought and expression is something entirely obvious: it is the tacit assumption that the proper end of human activity is survival, and this rests on the simple contingent fact that most men most of the time wish to continue in existence. The actions which we speak of as those which are naturally good to do, are those which are required for survival; the notions of a human need, of harm, and of the *function* of bodily organs or changes rests on the same simple fact. Certainly if we stop here, we shall have only a very attenuated version of Natural Law: for the classical

exponents of this outlook conceived of survival... as merely the lowest stratum in a much more complex and far more debatable concept of the human end or good for man.... Yet other thinkers, Hobbes and Hume among them, have been willing to lower their sights: they have seen in the modest aim of survival the central indisputable element which gives empirical good sense to the terminology of Natural Law. "Human nature cannot by any means subsist without the association of individuals: and that association never could have place were no regard paid to the laws of equity and justice."<sup>45</sup>

Hart concludes his discussion by saying,

Reflection on some very obvious generalizations – indeed truisms – concerning human nature and the world in which men live, show[s] that as long as these hold good, there are certain rules of conduct which any social organization must contain if it is to be viable. Such rules do in fact constitute a common element in the law and conventional morality of all societies.... Such universally recognized principles of conduct which have a basis in elementary truths concerning human beings, their natural environment, and aims, may be considered the *minimum* content of Natural Law....<sup>46</sup>

These views of Hart are similar to Protagoras' in all important respects. In Hart's terms, Protagoras could be called a minimal natural-law theorist. The above analysis makes abundantly clear that Protagoras – as I suggested in Part I – did not hold in the Great Speech that the content of *nomima kai dikaia* is *at bottom* only grounded in community will. Although a political community agrees to adopt certain prescriptions of justice, these prescriptions are not just because the community believes they are just, but because the political community actually survives as a result of observing them. This doctrine is not one of ethical relativism; in a functioning political community, the beliefs of its members that its system of *nomima kai dikaia* is just will be true *simpliciter*, at least for that part of the system which actually secures the survival of the community.

Protagoras' views, however, raise some serious difficulties. His appeal to natural necessity and the argument that moral *arete* is a necessary condition for the existence of cities do not ground a system of moral requirements which necessarily promotes the survival of each member of a community. Although the existence of cities is a necessary condition for human survival, it is *not* a necessary condition for the existence of cities that they promote the survival of all their citizens to the extent that this is possible and consonant with community survival. It is a matter of historical fact that viable political communities can sanction much cruelty and even the systematic oppression and exploitation of certain classes of people – up to and including their extermination. There is no reason to think that Protagoras was not aware of this.

The necessary-condition argument, then, provides Protagoras no ground for criticizing the *nomima kai dikaia* of any existing political community, no matter how cruel.<sup>47</sup> Nor does that argument provide unambiguous ground for any *particular* moral requirement, even at the minimal level (that is, the level necessary to secure a community's survival). Any requirement is truly moral only by virtue of the fact that it is part of a system of *nomima kai dikaia* which, in fact, secures the existence

of a political community. Such a view is compatible with a great deal of relativism since the particular requirements which can make up a successful system are quite variable. Specifically, they may be relative and dependent on community will in any of the following three ways. First, any particular requirement may not be a necessary part of every community's system. Ancient testimony is silent about whether Protagoras believed in any universal requirements. Although, of course, prohibitions against killing will be universal, the *nomima kai dikaia* of any city could sanction some taking of life even if such acts are not justified on grounds of community survival. Probably the only particular requirement which Protagoras can ground on the basis of his necessary-condition argument is the quite special requirement that citizens obey their city's *nomima*.<sup>48</sup> Second, any particular requirement may not only not be a part of another city's system of moral requirements, but may actually conflict with them. In other words, what is just in one community may be unjust in another. Third, even within the community in which a certain requirement is operative, it may be possible to substitute another requirement which serves basically the same purpose.

Protagoras' failure to ground adequately particular moral requirements is thus open not only to the objection that particular requirements can sanction cruelty, but also that they are arbitrary or merely conventional. The latter objection played an important role in the arguments of Greek theorists who attacked Protagoras and other proponents of the view that moral requirements embodied in *nomima* ought to be obeyed. For example, the view that the laws are merely conventional leads Hippias, a younger contemporary of Protagoras, to remark that *nomos* is a tyrant among men (*Protagoras* 337c-d). However, this objection when applied to Protagoras' view about moral requirements at the minimal level is somewhat misleading and unfair, since in important respects these requirements are not relative and conventional when seen in their role of actually securing a community's survival. But this objection when applied to requirements above the minimal level would seem to be completely justified: the necessary condition cannot ground – independently of community will – the need for and the content of such requirements.

The above problems are serious and complex; but the Great Speech gives no obvious indications that Protagoras had answers to these problems, or even that he was aware of them. There are, however, some indications that he would not be satisfied with my characterization of his views. That is, his views about moral requirements may go beyond claims which can be derived from the necessary-condition argument – views which would provide him with reasons to criticize the *nomima kai dikaia* of existing cities and ground requirements beyond the minimal level.

For example, he remarks at 327b that a citizen is profited by the just action of his neighbor. This claim presupposes that the requirements of justice promote the survival of each citizen; if they did not, then those whose survival is not promoted would hardly be profited by the justice of their neighbors. In a similar vein, he argues that the political community is justified in executing or banishing those who are incurably unjust and a threat to the city's existence (322d, 325b-c). In making special note of this, he can plausibly be thought to be implying that in ordinary circumstances, *nomima kai dikaia* promote the survival of all citizens.

But since *nomima kai dikaia* of existing cities do not necessarily do so, Protagoras may, in effect, be making a normative claim: *nomima kai dikaia* ought to promote the survival of all members of a community.<sup>49</sup> However, there is need for caution here. The laws of each community lay down what actions are moral, and these laws are called *nomima kai dikaia*. There is no evidence that Protagoras thought that if the laws of a community do not promote the survival of all citizens, all or some of its laws are immoral and hence not to be called *nomima kai dikaia*. Thus, the normative claim in question needs to be understood as the claim that it would be better if *nomima kai dikaia* promote everyone's survival – where 'better' does not mean morally better. If the historical Protagoras made and defended this claim, he would have needed to defend it on non-moral grounds. And even assuming that his defense was a good one, his claim, strictly speaking, would still not ground moral requirements prescribing the promotion of everyone's survival since moral requirements on his view need not prescribe this. For the sake of convenience, however, I shall speak of this claim as if it did ground such requirements; it does, after all, ground the requirements of any community that adopts the survival of all its citizens as one of its goals.

At any rate, this claim, if made by the historical Protagoras, would suggest that he believed in some kind of social-contract theory according to which each person enters a political community for reasons of self-preservation and agrees to obey certain regulations designed to promote the survival of each and every member of that community. Although there is no direct evidence of his having been a social-contract theorist, there is certainly no evidence against it. At 322b, Protagoras characterizes pre-political men as constantly injuring or committing injustices (*adikein*) against each other.<sup>50</sup> In the *Republic*, Glaucon remarks that this was the standard view of the social-contract theorists; and these theorists, according to Glaucon, also held that because of this constant mutual injuring, men found it beneficial to enter into an agreement not to commit or suffer injuries (injustices) – hence they began to enact *nomima kai dikaia* to fulfill this agreement (358e-359a).<sup>51</sup> Although the regulations of any existing city may not fulfill the purpose of the agreement, Protagoras would be saying that they ought to – perhaps because a city would not function well otherwise. If Protagoras did make this normative claim, then his theory would allow him to criticize the regulations of existing cities and would ground some basic particular requirements, as well as requirements somewhat above the minimal level.<sup>52</sup>

However, one passage in the Great Speech indicates that Protagoras may have made an even stronger normative claim than the one just examined. At 322c, he remarks that the function of moral *arete* is to secure bonds of friendship.<sup>53</sup> Clearly, the role of morality in promoting this end goes well beyond securing the preservation either of a city or all its citizens. If this passage reflects the view of Protagoras, he may have felt that such a view is justified on the ground that the most secure city will, in fact, be the one in which citizens maintain bonds of friendship; but such a view would surely seem to involve a normative conception of the ideal political community. Certainly friendship requires the maintenance of a high level of morality. Friendship as a goal implies that the institutions of a city ought to be designed so

that citizens avoid cruelty and oppression and promote each other's good and the good of the community as a whole. Given Protagoras' emphasis on community, he would see the good for persons in terms of participating in community life: receiving the benefits of the common good which each citizen contributes to. Although the goal of friendship would still be compatible with a great deal of relativism since there is no indication that he posited or wanted to posit specific notions about the nature of individual or community good, it would provide him ground to criticize the *nomima kai dikaia* of existing political communities. It would also ground the need for and, to some extent, the content of requirements well beyond the minimal level; and as we saw in Part I, the Great Speech does seem to indicate that Protagoras thinks he has provided grounding for such requirements.<sup>54</sup>

In discussing ways in which Protagoras may have gone beyond the necessary-condition argument in providing a ground for moral requirements, my remarks have admittedly been speculative. My purpose has been to give an account of those claims in the Great Speech which the necessary-condition argument cannot ground. Whether these claims should be attributed to the historical Protagoras and how (or whether) he defended them are issues which cannot successfully be addressed without first analyzing Protagoras' views in the *Theaetetus*.

Unlike the *Protagoras*, the *Theaetetus* does not feature Protagoras as one of the interlocutors; nor are his views Plato's primary focus, but rather the question of what knowledge is. Plato suggests three possible answers, the first one being that knowledge is perception (151e). It is in the context of this first suggestion that Protagoras is discussed because, according to Plato, he held such a notion of knowledge by virtue of his man-measure principle: "Man is the measure of all things – of those that are, that they are, of those that are not, that they are not" (152a).<sup>55</sup> Socrates (Plato) immediately adds that Protagoras meant something like this (*houto pos legein*): "everything is for me such as it appears to me; everything is for you such as it appears to you."<sup>56</sup> Socrates goes on to identify appearances with perceptions and draws out the implications of the man-measure principle: all perceptions are true (152b-c). But he also expresses ignorance about how such a notion was defended and playfully suggests that Protagoras had a secret doctrine of radical Heracliteanism. After expounding on the secret doctrine and pointing out certain objections to the theory of knowledge as perception, Socrates concludes that knowledge and perception are different (164b). But then he accuses himself of unfair logic-chopping, suggesting that if Protagoras were present, he would be able to defend himself. For this reason Socrates assumes Protagoras' *persona* and provides him with a defense, commonly referred to as Protagoras' Apology.<sup>57</sup>

The Apology is not primarily concerned with answering Socrates' technical objections to the knowledge-as-perception thesis, but with the special objection of how Protagoras (or anyone else) could legitimately teach others or call himself wiser than others since everyone is a measure of his own wisdom (161d-e). Here Socrates is pointing to an (apparent) discrepancy between Protagoras' program and his epistemology. Protagoras attempts to answer this objection by suggesting that the mark of a wise man is not to have truer perceptions than others (for that is impossible), but to have better ones.

My discussion of the *Theaetetus* will focus on the Apology (166a-168c) and Socrates' interpretation and comments immediately following it (168c-172b). I shall be concerned with two separate, but related issues: first, the ramifications of applying the man-measure principle to ethical matters; and second, the role of the wise man in advising a political community.

In dealing with the first issue, most scholars take a position on whether the *Theaetetus* shows Protagoras to be a skeptical relativist in perceptual matters and then characterize his moral views in this dialogue in such a way as to be consistent with that position.<sup>58</sup> Fortunately there is no need to enter into the complexities of the scholarly debate about Protagoras' overall epistemological views because, as I shall argue, the *Theaetetus* shows Protagoras to be a skeptical relativist in regard to ethical issues even if one adopts the arguable view that it does not show him to be a skeptic in perceptual matters.<sup>59</sup> To demonstrate this, I briefly lay out the argument used by commentators who hold the view that Protagoras was a non-skeptical relativist in perceptual matters; and then I argue that the evidence in the *Theaetetus* strongly suggests that these commentators are wrong to assume or assert that their argument can legitimately be applied, by analogy, to ethical matters to show that he was a non-skeptical relativist in ethical matters as well.<sup>60</sup>

These commentators support their view primarily on grounds that Protagoras applies the man-measure principle in the same way to predicates designating either perceptible or ethical qualities: what seems hot to me *is* hot to me; what seems just to a community *is* just for it. On the non-skeptical relativist interpretation, the perceptible qualities of *both* the hot and cold, for example, objectively inhere in *all* objects; and thus, conflicting claims about the coldness or hotness of an object are true *simpliciter*. A perceiver picks out one of the objective qualities. Although his condition (*hexis*) determines which of the two qualities he will pick out (167a-b), nothing else depends on the perceiver. Say, for example, that X perceives the wind to be hot; but Y, who is sick, perceives the same wind to be cold. Or wind of the same temperature may seem hot to X, but cold to Y because X is used to much colder temperatures than Y. These judgments are not skeptical. Their truth does not depend on the opinion and mental outlook of the perceivers. What makes these judgments true is that the perceivers are picking out objective qualities. It is arguable that this account of perceptual judgments conforms to Protagoras' view of them in the *Theaetetus*; certainly it is plausible to hold that Protagoras could have held this view, given that it was common in fifth-century Greece to speak of the (objective) mingling of opposites in an object.<sup>61</sup>

In applying this interpretation of the man-measure principle to ethical matters, qualities of *both* the just and unjust will inhere in *all* actions of the appropriate sort, say in all actions involving conflicts of interest. Regardless of which quality a person (or community) picks out in making a judgment, it will be both true for the perceiver (believer) and true *simpliciter* that the action has this quality. Thus, one might conclude, by analogy, that Protagoras was a non-skeptical relativist in ethical matters. But the issue is clearly more complex than this. Say, for example, that X reneges on a contract he made with Y. Y claims that this action is unjust on grounds that X disregarded his rights, but X claims that the action is just on the basis of his



belief that justice is the rule of the stronger. If Protagoras was a non-skeptical relativist, he cannot just say that acts of renegeing on contracts are both objectively just and unjust. If both judgments are true, then these judgments are skeptically relative since their truth depends on the mental perspectives and opinions of the persons making the judgments. The same can be said for ethical judgments made by political communities. To use a somewhat implausible example, say that in one community acts of renegeing on contracts are considered just, but in another community such acts are considered unjust. Both communities are picking out objective qualities; but again their judgments will be skeptically relative since it is entirely a matter of community opinion whether such actions are just rather than unjust – or unjust rather than just.<sup>62</sup>

The question, then, is whether the *Theaetetus* suggests that Protagoras' position is not one of skeptical relativism in ethical matters, that skeptical relativism was not involved in the view – if Protagoras did, in fact, hold this view – that the same actions are objectively both just and unjust. To answer this question, it will be helpful first to look at discussions of relativism in the *Dissoi Logoi*, an anonymous Sophistic text written very late in the fifth century or early in the fourth, close enough to Protagoras' lifetime to shed light on the issues he is likely to have been concerned with.

The *Dissoi Logoi* gives an account (albeit a clumsy one) of two kinds of relativism in ethical matters, and only one of them involves skepticism. The discussion of non-skeptical relativism is found in Part III. The specific issue debated is whether the same actions can be said to be both just and unjust. The *Dissoi Logoi* indicates that those who claim that actions are both just and unjust defend their view by appealing to examples. Stealing a sword from a friend is just when one's friend would use it to kill himself. Lying to a friend is just when one's friend would be benefited. It is assumed that stealing and lying to friends are *not* just in ordinary circumstances. Although the same actions are both just and unjust, the relativism at issue here is not skeptical: no action is said to be just or unjust in virtue of what a particular person or community thinks. No definition of the concept of justice is offered, but most of the examples assume that justice consists of benefiting friends and harming enemies. If an action meets the criterion of benefiting or regarding the rights of friends, then it would be just. On this view, it would not be legitimate for someone to characterize an action as just which he thought involved disregard for the rights of friends. The issue which concerns the non-skeptical relativists pictured by the *Dissoi Logoi* is the difficulty of characterizing actions as unjust or just without specifying their circumstances. The implication is that once the particular circumstances of an action are known, then it is possible to judge correctly that a particular action is just, rather than unjust; this judgment will not be a mere matter of the mental perspective of some individual or community.<sup>63</sup>

A discussion of skeptical relativism is found in Part II, Sections 9-18 of the *Dissoi Logoi*. At issue here is that communities have different notions of actions that are *kala* (honorable) or *aischra* (shameful). Examples of actions which are *kala* in one community, but *aischra* in another include: women having pre-marital sex, men engaging in the task of weaving, young girls doing athletics and going about with bare arms and no tunics. The discussion is summed up by the claim that

if someone should order all men to make a single heap of everything that each of them regards as shameful (*aischra*) and then again to take from the collection what each of them regards as honorable (*kala*), not a thing would be left, but they would all divide up everything, because not all men are of the same opinion.

What makes actions *kala* is simply that they are approved of; and this approval is a result of the adoption of conventional and arbitrary standards. This is quite different from the view of the non-skeptical relativists that circumstances determine whether an action is just or unjust.<sup>64</sup>

The terms '*kala*' and '*aischra*' often had for the Greeks important ethical implications. '*Kala*' and '*dikaia*' were often linked in a coordinate expression; and, in fact, these terms are linked in the *Theaetetus* at 167c and 172a. It is thus somewhat surprising that in Sections 9-18 of Part II of the *Dissoi Logoi*, the examples of actions which are considered *kala* or *aischra* have little to do with basic moral questions of regard for the interests of others.<sup>65</sup> However, there are examples of these terms being used in such a way in the sections prior to Section 9. For example, it is said to be *aischron* to murder one's friends (and fellow citizens), but *kalon* to slaughter one's enemies; it is *kalon* to do good to one's friends, but *aischron* to act in this way toward enemies. These examples, however, concern issues of non-skeptical relativism, not skeptical relativism: what is at issue is the circumstances of an action, not whether a particular community happens to approve of certain actions. The fact that these two relativisms are found side by side may indicate that the Greek relativists of this period conflated the two. This would have serious theoretical implications. If the judgments involved in the examples illustrating non-skeptical relativism be made skeptically relative, then it could no longer be assumed that in ordinary circumstances stealing from friends or, in general, from fellow citizens is unjust. All such judgments would be entirely matters of community will – or perhaps even personal will. On the other hand, the fact that the examples illustrating skeptical relativism do not concern basic moral issues may indicate that this kind of relativism was not indiscriminately applied to all moral prescriptions. That is, perhaps a basic set of moral requirements involving issues of lying, stealing, and injuring was not, in general, brought into question from the perspective of skeptical relativism.

To return to the *Theaetetus*, it is clear that a non-skeptical relativistic interpretation of Protagoras will assume he had in mind a position like that of the non-skeptical relativists of the *Dissoi Logoi*. But in the *Theaetetus*, Protagoras does not adopt such a viewpoint; instead his position is that of the skeptical relativists of the *Dissoi Logoi*. It is his view that whatever a community thinks is just is just for it as long as it thinks so. What is just is what happens to be approved of by the members of the community. Such judgments are radically dependent on opinion in the same way as the proponents of skeptical relativism in the *Dissoi Logoi* thought them to be. There is no indication in the *Theaetetus* that Protagoras' relativism had anything to do with the issue of characterizing actions as just or unjust independently of particular circumstances. Nor is there any indication that he appealed to some criterion or overriding notion of justice by virtue of which it would be immoral for a community to sanction serious disregard for the interests of others.

If the historical Protagoras held the views Plato attributes to him in the *Theaetetus*, then Protagoras' position was one of skeptical relativism in ethical matters even if, in practice, he did not explicitly apply his doctrine to certain basic moral prescriptions. Nor would his position be different – contrary to what has sometimes been suggested – if he made the concession suggested by Plato of dropping his relativism for judgments containing predicates like 'healthy' and 'advantageous'. That this concession would not affect his being a skeptical relativist in ethical matters is a point strongly made by Plato at 171d-172b. I paraphrase: 'First, the doctrine (*logos*) of the man-measure principle, as we have sketched it in defending Protagoras (that is, as sketched in the *Apology*), will stand most firm if it says that in regard to qualities like hot or cold, whatever appears to a person is such as it appears (to him) and no one is wiser than another in these matters, but that in regard to matters of health and disease, some are wiser than others and know how to effect cures and know what is wholesome. And second, in regard to ethical and political qualities like the just or unjust, the *logos* will be most firm if it says that whatever is enacted or thought to be just is just (for a city) since no city or individual is wiser than another in these matters, but that in matters which involve determining or laying down what is advantageous, some are wiser than others. But there, about what I was speaking, that is, about what is just and unjust, they (Protagoreans) claim that none of these things has an *ousia* (essence) of its own by nature (*physis*), but that whatever seems so to a community becomes true when it seems so to it and for as long it seems so. And thus they philosophize (those who adopt the positions laid out in this (entire) passage), whoever do not completely speak the *logos* of Protagoras (that is, those who modify the man-measure principle by making the concession of dropping relativism for judgments about health and advantage).'

Plato contends that Protagoras' man-measure principle can best be defended if it is modified to allow the concession; but he recognizes that this concession is not, strictly speaking, consonant with this principle. Most importantly, even after Plato spells out a modified Protagorean theory, in explicitly noting that ethical predicates like 'just' have no *physis*-grounded *ousia*, he recognizes that Protagoras remains committed to skeptical relativism.<sup>66</sup> Plato's view is obviously correct. Protagoras believes that any action can be just if it seems so to someone (or some community), regardless of whether such an action is advantageous. Political communities are said to need the services of a wise man precisely when there is a discrepancy between what is thought just and what is (thought) advantageous (167c). Given this, making judgments about advantage non-relative in no way affects what actions can legitimately count as just.

Protagoras' man-measure principle, then, commits him to the view that any action can be just if a person or community thinks so, even if it involves blatant disregard for the rights of others. Although, regrettably, this is the position he is committed to, there is more to his moral theory in the *Theaetetus* than this. To get at the other features of his theory, I now turn to the second major issue of this dialogue: the role of the wise man in advising a city about matters of justice and advantage.

The immediate question which arises concerning the wise man is on what grounds

Protagoras can say that certain persons (including himself) are teachers and wiser than others, given that all judgments are equally true. The meaning of his answer to this question in the *Apology* is far from clear. As noted previously, he suggests that although the wise man does not possess truer judgments than others, he effects change in others so that their condition (*hexis*) is better (167a). The important issue here, of course, is whether a condition is better by virtue of someone's thinking it so. On this view, predicates like 'advantageous', 'healthy', and 'good' (in a non-moral sense) would function in the same way as moral predicates. All judgments about health and advantage would be skeptically relative, and the wise man will have one of the two following roles. First, he could be one who is adept at getting others to adopt his opinions by convincing them that holding and acting on these opinions will be good for them and produce better results than their current opinions.<sup>67</sup> Or second, the wise man could be one who is adept at extricating others from what *they* see as bad situations; he would have a technique to help others attain goals which they themselves want, but do not know how to attain.<sup>68</sup>

Both of these views of the wise man involve pejorative implications. On the first view, Protagoras would be committed to the position that wisdom lies in the ability to manipulate the opinions of others. Thus, he would be sanctioning on a theoretical level the worst abuses of rhetoric since the wise rhetorician (or politician) need not be concerned with persuading others to adopt courses of action which are, in fact, advantageous to them.<sup>69</sup> On the second view, the wise man will not be concerned with those who are pursuing destructive courses of action as long as they think such actions are advantageous. And even if they think their condition or actions are disadvantageous, the wise man will only be concerned with making them *feel* better, without regard for whether their feeling better is a result of their pursuing courses of action which *are* better.<sup>70</sup> (For the sake of convenience, I shall henceforth refer to these two views as the pejorative views of the wise man.)

However, if Protagoras did not adopt either of these views, then he would have thought that the wise man effects changes in others so that their condition and opinions are, *in fact*, better than before. He would, therefore, be committed to the position that at least some judgments about advantage and health are not skeptically relative.

Plato's view of exactly what position Protagoras did take on the issue of the wise man is rather complex. On the one hand, Plato never suggests that Protagoras held a pejorative view of the wise man. Indeed, Plato implies that Protagoras did not have such a view in suggesting that Protagorean theory would concede that some men are wiser than others in knowing which judgments about health and advantage are true or false *simpliciter* (171d-172b, 177d). If the historical Protagoras adopted either pejorative view of the wise man, then Plato would be seriously distorting Protagoras' position – for Protagoras would insist on *not* making the very concession which Plato suggests he would make. On the other hand, Plato certainly never suggests that the historical Protagoras actually made this concession. And Glidden is surely right in contending that the concession, if made by Protagoras, would have involved "a monumental shift in the [man-measure] doctrine and [would] not have been made without much discussion [in ancient testimony about Protagoras]."<sup>71</sup>

But if Protagoras did not make the concession, then he could not have rejected either one of the two pejorative views of the wise man. He, as well as Plato, would certainly have been aware of this. And thus the question which must now be addressed is whether this apparent inconsistency in Plato's portrait of Protagoras can be reconciled.

In the Apology, Protagoras gives three examples of wise men: the doctor, gardener, and politician (*rhetor*).<sup>72</sup> All of them are concerned with changing unhealthy conditions into healthy ones. Food tastes bitter to a sick person. The role of the doctor is to cure him and make his food taste sweet (166e-167a), that is, to change (by means of drugs) his condition (*hexis*) from a sick to a healthy one. Glidden is correct, I think, in suggesting that Protagoras implicitly appeals to *physis* (nature, objective reality) in this example, for it is *physis* – the sick man's *hexis* – which accounts for his food tasting bitter.<sup>73</sup> Strong support for the plausibility of Glidden's suggestion can be found in a short 'speech' which Protagoras makes about the nature of the good (in a non-moral sense) in the post-Great Speech section of the *Protagoras*:

I know a number of things that are not beneficial for men, namely, foods, drinks, drugs, and countless others, and some that are beneficial (*ophelima*); some that are neither one nor the other to men, but are one or the other to horses; and some that are beneficial only to cattle, or again to dogs; some also that are not beneficial to any of those, but are to trees; and some that are good (*agatha*) for the roots of a tree, but bad for its shoots – such as dung, which is a good thing when applied to the roots of all plants, whereas if you chose to cast it on the young twigs and branches, it will ruin all. And oil too is utterly bad for all plants, and most deadly for the hair of all animals save that of man, while to the hair of man it is helpful, as also to the rest of his body. The good is such an elusive and diverse thing that in this instance it is good for the outward parts of a man's body, but at the same time as bad as can be for the inward; and for this reason all doctors forbid the sick to take oil, except the smallest possible quantity, in what one is going to eat – just enough to cover up any unpleasant smell from food and garnishes.

(334a-c)

Most commentators think this passage reflects the views of the historical Protagoras. This seems likely. However, quite a few commentators have also thought that this passage is an expression of skeptical relativism. Such an interpretation is not correct.<sup>74</sup> All of the examples of what is good and beneficial make an implicit appeal to *physis*. For example, dung is bad for young twigs because they have a *physis* of such a sort that if they come into contact with dung, they will be destroyed. Conversely, dung has a *physis* of such a sort that it destroys young twigs. Protagoras says he knows these things: they are not true for him because he thinks them so, just as oil is not bad for plants because they 'think' it so. The same analysis can be applied to the example of the doctor and patient in this passage. Taking only the smallest quantities of oil is good for a sick person in virtue of the *fact* that acting in this way will help to produce health, just as dung is good for the roots of plants because it will make them grow and be healthy. A state of health for plants or men

would presumably be that state which enables them to function in the ways that plants and men normally function. A healthy state for man at the minimal level would be one which allowed him to survive and perform with ease ordinary human physical functions like eating, drinking, sleeping, and so forth.<sup>75</sup>

The example of the doctor and patient in the *Theaetetus* should be interpreted in a similar way. The role of the doctor is to produce in his patient an objectively healthy *hexis* that allows him to function normally. Clearly the patient wants to be in a normal state: he is not desirous of having any and all foods taste sweet, but merely those foods which normally taste sweet to him or which normally taste sweet to men who have a similar diet.<sup>76</sup> The normal, healthy state at the minimal level is the same for all men: it is an objective state independent of what men think about it.

On this interpretation, Protagoras' theory would not be consistent with a thoroughgoing skeptical relativism insofar as it appeals to an absolute standard of health at the minimal level. Judgments about health at this level would be true or false *simpliciter*. Feeling good will be a sign of health, but one will not be healthy because he thinks he is healthy or because he feels good.

There is, however, no indication that Protagoras examined the implications of his view or worked it out in detail; his appeal to an absolute standard was, no doubt, an implicit one. But because of this implicit appeal, Plato is correct in not attributing to Protagoras either of the two pejorative views of the wise man. The wise doctor could not merely be characterized as (1) making people feel good or (2) imposing his ideas of health on others by convincing them they will feel better as a result. What is missing from these accounts is any reference to making others objectively better. Plato points out that Gorgias' view of a rhetorician can be characterized as in (2) and specifically remarks that such a view would completely undermine the role of a doctor (*Gorgias* 459a-b; cf. 456 a-c). Plato is careful not to attribute a similar view to Protagoras. But on the other hand, while Plato is correct in suggesting that Protagoras treated (some) judgments about health differently from moral judgments, he is misleading when he suggests that Protagoras would exempt from relativism *all* judgments about health. In point of fact, two types of judgments about health will remain relative: judgments about more-than-minimal standards and judgments about the means for attaining minimal or more-than-minimal standards. For example, someone may think that the healthy state for males between the ages of twenty and thirty can be characterized as the ability to win or at least compete well in athletic contests. Such judgments about ideals of health are culture-bound and purely conventional although they will be true *simpliciter* in a derivative sense insofar as they subsume minimum standards of health. Similarly, someone may think potatoes produce a healthy state. But, of course, potatoes may not be a part of the healthy diet of any particular group of people; and besides, potatoes will only help to produce a healthy state if they are an integral part of a balanced diet. Although the above two types of judgments are in some sense relative, it is clear that Protagoras' acceptance of an objective minimal standard of health keeps the role of the doctor free from the pejorative ramifications of a pervasive skeptical relativism.

This analysis of the role of the doctor will help to shed light on Protagoras' view of the wise politician. The task of such a politician is to cure an unhealthy city (167c). A city is said to aim at what is advantageous or useful (*chreston*) and to be in need of a wise politician precisely when the laws do not promote its advantage. The crucial issue here, of course, is whether the advantage in question is merely what the citizens think is advantageous or what someone thinks a community would find advantageous if it were to adopt his ideas. But I would suggest that, as in the case of health, judgments about advantage at the minimal level were not considered by Protagoras to be skeptically relative. The bottom line for what is advantageous to a political community is its survival.<sup>77</sup> Protagoras would surely not have thought this judgment controversial or skeptically relative. At the minimal level then, the wise politician will necessarily be concerned with what is truly advantageous to the community: he must be concerned with proposing requirements which will actually secure its survival. There can be no question here of making proposals which the citizens will merely think are advantageous. Just as each and every man is constructed in such a way that his physical components must be working in a *certain* way for a healthy condition to exist, so the nature of the political community is such that a *certain* kind of behavior is required of its members if the community is to survive and have an advantageous condition. Judgments about the minimal level of advantage will not be skeptically relative.

But just as in the case of health, two types of judgments about advantage remain relative. First, judgments about more-than-minimal conceptions of advantage. For example, one city may conceive of advantage in terms of the common ownership of the means of production while another one may view it in terms of private ownership. It will be true *simpliciter* that the systems of *nomima kai dikaia* in these two communities are advantageous if their survival is secured; but their more-than-minimal conceptions of advantage will be relative and matters of community will. Second, judgments about the advantage of particular requirements of a community. Particular requirements – at both the minimal and more-than-minimal levels – will be relative and conventional in the same way as they are in the *Protagoras*. And again as in the *Protagoras*, Protagoras' relativism does not have disturbing implications at the minimal level, given his acceptance of an objective minimal standard of advantage.

Moreover, the *Theaetetus* indicates that even in matters concerning the more-than-minimal level of advantage, Protagoras was not committed to either one of the pejorative views of the wise man. The wise politician is portrayed as advising the community about advantage and moral requirements: he plays a role in deliberation. Although no details are given, it seems safe to presume that the need for deliberation arises, in part, because of conflicting claims among citizens. Although not all of these conflicts will actually endanger the very survival of the community, unresolved conflicts will at least have some negative effect. One task, then, of the wise politician will be to advise the city about how to resolve such conflicts. Now it seems likely that the historical Protagoras would have thought that the wise politician should resolve these conflicts in a way that is as advantageous as possible to the parties involved, as well as to all the other inhabitants of the community.<sup>78</sup> And it also

seems likely that he would have thought that *nomima kai dikaia* are advantageous precisely when they promote the advantage of all, rather than favoring the interests of one group or person at the expense of others. Other theorists of the time thought of *nomima kai dikaia* as advantageous to all.<sup>79</sup> In Protagoras' necessary-condition argument, the issue was the promotion of the survival of the city. One problem with that argument, of course, is that it does not ground requirements which necessarily promote the survival and good of all the citizens. His necessary-condition argument required him to focus on the survival of the city; but in general, Protagoras would not have thought of the good of the city apart from the good of the citizens who live in it. After all, he claimed that moral action promotes self-interest.

It hardly seems plausible even to suggest that when the existence of the community does not depend on resolving particular conflicts in accord with what is, *in fact*, advantageous to the citizens, the role of the Protagorean wise man is merely to make citizens think that these conflicts have been resolved in the properly advantageous way.<sup>80</sup> Plato does not suggest that this was Protagoras' view – and again I see no reason to doubt his testimony. Protagoras probably would have thought that all would agree that a city's *nomima kai dikaia* are advantageous to all its citizens when, in fact, they do not promote the advantage of some citizens at the expense of others. And he probably would also have thought that such *nomima kai dikaia* would seem advantageous to a community precisely when this situation obtains.

At any rate, this conception of advantage would require *nomima kai dikaia* which prescribe a level of morality far beyond what is needed for a community's existence. Strict limitations would be put on the content of such *nomima kai dikaia* although their content will vary from community to community. Moreover, this general conception of advantage would take precedence over all particular conceptions of advantage a community might have. The latter conceptions of advantage would remain relative and conventional, but they will not be properly advantageous if they involve the promotion of the interests of some citizens at the expense of others.<sup>81</sup>

On my reading of the *Theaetetus*, Protagoras' views about moral requirements are remarkably similar to those expressed in the *Protagoras*. There is, of course, one major discrepancy: in the *Theaetetus*, Protagoras maintains that moral requirements are grounded in nothing but community will. But although this is not his position in the *Protagoras*, on a practical level this discrepancy is of little significance.

Protagoras' moral views in the *Protagoras* are saved from a pervasive skeptical relativism only because the emphasis in that dialogue is on the notion of a system of moral requirements which actually secures what is advantageous to a political community: its own survival. Protagoras provides a ground for such a system in natural necessity; but his necessary-condition argument provides no ground other than community will for particular moral requirements beyond the minimal level; even particular requirements at the minimal level are only partially independent of community will. In the *Theaetetus*, however, the focus is on grounding particular



moral requirements – and not a system of them. Thus the *Theaetetus* brings to the fore the very problem which Protagorean theory has the most difficulty with in the *Protagoras*. Not only that, but in contrast to the *Protagoras*, it is not taken for granted that the actual moral requirements of a community are advantageous; and thus they could conceivably prescribe rampant ‘immorality’. On the theoretical level, this position has obvious disturbing implications. But Protagoras is not likely to have believed that the actual moral requirements of a community would ever sanction rampant ‘immorality’. After all, he is concerned in the *Theaetetus* with deliberation in a functioning community; and if its requirements were completely disadvantageous, it would not exist. So if we grant that Protagoras believes that the moral requirements of an ongoing community are – as a matter of necessity – minimally advantageous, then practically speaking, his views in the *Theaetetus* about moral requirements (at the minimal level) will be the same as those views in the *Protagoras* which are based on the necessary-condition argument.

There will, however, be an inconsistency in his views about the ground of these requirements insofar as there is an inconsistency between (1) his view in the *Protagoras* that *the set of (minimal) moral requirements* of each functioning community is grounded in natural necessity and (2) his view in the *Theaetetus* that *all particular moral requirements* are grounded in community will. This inconsistency is such that Protagoras may not have been aware of it. If so, he might very well have held both of the above views; and thus it would be rash to reject Plato’s account in either of the two dialogues.

In any case, Protagoras’ views in the two dialogues are similar in matters relating to advantage and moral requirements not only at the minimal level, but also at the more-than-minimal level. I noted previously that some of Protagoras’ remarks in the Great Speech imply that he made two normative claims: (1) it would be better if the *nomima kai dikaia* promote the survival of all citizens and (2) it would be better if they promote friendship among citizens. I was reluctant to attribute these claims to Protagoras because they could not be justified on the basis of his necessary-condition argument; but as it turns out, his notion of advantage in the *Theaetetus* is consonant with both of these normative claims; and this suggests that the historical Protagoras did, in fact, make them. Friendship among citizens would be promoted by his conception of advantage insofar as moral requirements which embody this kind of advantage would be advantageous to all citizens and would not favor the interests of some citizens at the expense of others. The goal of friendship and his conception of advantage both require a high level of regard for the interests of others. Indeed, the Great Speech would seem to be, in part, the portrait of a political community whose moral requirements are in accord with Protagoras’ notion of advantage in the *Theaetetus*.<sup>82</sup> There is no direct evidence which indicates whether he justified his normative claims, but I would suggest he made them in consequence of believing that it is in each person’s best interest to live in a community where the survival of all and friendship among citizens are promoted.

But, of course, it needs to be remembered that the goal of friendship among citizens would only ground moral requirements for communities which had decided to adopt such a goal. Again, it is not his view that morality requires *nomima kai*

*dikaia* which promote friendship. Strictly speaking, the only secure and non-relativistic ground for moral requirements in his theory is the ground provided by his necessary-condition argument; and although that argument is only valid for requirements at the minimal level, it does significantly undermine the practical significance of his view that any action can legitimately be said to be just (moral) if a community (or individual?) thinks it so.<sup>83</sup>

### *Part III: Reasons To Be Moral*

The ground Protagoras provided for moral requirements is not the only problematic feature of his theory. That is, even though these requirements were said by him to be rational from the prudential point of view, his necessary-condition argument does not provide agents with sufficient reasons to observe these requirements in all circumstances.<sup>84</sup> In discussing this second problematic feature of his theory, I first lay out what Protagoras says or implies in the Great Speech and Apology about the benefits of moral action; second, show that his views do not demonstrate that acting morally is necessarily beneficial to the agent; and third, argue that in the post-Great Speech section of the *Protagoras*, Plato not only points out that Protagoras does not demonstrate this, but also reveals why Protagoras' moral theory is totally ill-equipped to do so.

By now we are quite familiar with Protagoras' arguments that all men seek to live in political communities for reasons of self-preservation and that a political community cannot function unless its members adopt and observe moral requirements which prescribe a certain level of cooperation among citizens. It follows from these arguments that everyone is better off living in a community where these moral requirements are observed than living in circumstances where they are not observed.<sup>85</sup> These requirements, then, are beneficial for everyone; and everyone in a community has overriding reasons to ensure that that level of cooperative behavior be maintained which secures a community's survival. As Protagoras specifically remarks in the Great Speech, citizens are profited (*lysitatein*) by each other's moral *arete* (327b). Even though, as we have seen, Protagoras' necessary-condition argument only grounds moral requirements at the minimal level, *all* the requirements of a community could be said to benefit everyone on the assumption that disregard of more-than-minimal requirements would endanger the stability of the community.

However, we have also seen that moral requirements grounded in the necessary-condition argument could still allow much cruelty to exist or could even sanction it; nor would these requirements need to promote the survival of all citizens.<sup>86</sup> But certainly moral requirements would only be advantageous in a very weak sense, if at all, to those people (whether as agents or recipients of moral action) who were regularly victims of cruelty. If, as Protagoras says, citizens are profited by each other's moral *arete*, his views about moral requirements would have to go beyond the claims which can be derived from the necessary-condition argument, since he would have to hold that moral requirements ought to benefit (in a strong sense) all citizens. In Part II, I argued that Protagoras held views which went beyond the necessary-condition argument in just this way.<sup>87</sup>

Protagoras' notion of moral requirements as beneficial to all citizens is also found in the writings of other theorists of the time who were proponents of the view that moral requirements ought to be obeyed. The Anonymus Iamblichi characterizes justice and law as "that which is common and advantageous (*symphe-ron*) to all [citizens]" (7.15). In fr. 248, Democritus remarks that law wishes to benefit (*euergetein*) the life of men. Although not himself a proponent of this view, Antiphon comments that justice is thought to be beneficial (*chresimon*, useful) to the pursuits of men (fr. 44.I.3-9).<sup>88</sup> Socrates, at least to some extent, also shared this notion of moral requirements. In Book I of the *Republic* (336d), in challenging Socrates to give an account of what justice is, Trasymachus asks Socrates not to speak drivel by characterizing justice as *ophelimon* (beneficial), *lysiteloun* (profitable), *kerdaleon* (gainful), or *symphe-ron* (advantageous).<sup>89</sup> With the exception of '*kerdaleon*', this list is repeated in the pseudo-Platonic *Cleitophon*, where it is said that the followers of Socrates employ the terms in this list to characterize justice (409c).<sup>90</sup> And if Book I of the *Republic* reflects the views of the historical Socrates, he would clearly have seen justice as that which is advantageous (in a strong sense) to all citizens, for he remarks at 342e that the function of a ruler is not to enjoin his own advantage, but that of the ruled.

As I suggested previously, Protagoras would likely have thought communities ought to adopt this notion of advantage and the goal of friendship among citizens by virtue of a belief that it was in each person's best interest to live in such communities: One would be able to live in peace and security and be able to trust others in an environment that was free of factional strife and respectful of each individual's interests.<sup>91</sup> Such cooperative communities were no doubt seen by Protagoras as being maximally productive of goods and benefits to be shared in by all the members of the community. Although Plato's Protagoras does not spell out specific benefits of living in such a community, it is virtually certain that the historical Protagoras would have done so, as did other proponents of the view that moral requirements ought to be obeyed.<sup>92</sup>

In the Great Speech at 327b, Protagoras remarks that mutual (reciprocal) moral action benefits all.<sup>93</sup> In many communities, of course, one's moral actions are often reciprocated; but it is surely in cooperative, well-functioning ones that this situation will most often obtain. And insofar as one's moral actions are reciprocated, being moral promotes (albeit indirectly) one's self-interest.

Protagoras also seems to have argued that acting morally – at least if one does so to an outstanding degree – will benefit the agent because such action will result in attaining special recognition and status in the community. In the Great Speech at 327a-c, Protagoras draws an analogy between fluteplaying and moral skills. He argues that if the existence of a community were dependent on all citizens being able to play the flute, all citizens would encourage each other to become proficient at fluteplaying, in the same way as they now encourage each other to become skillful at practicing moral *arete*. Despite this, not everyone would be equally proficient in the skill of fluteplaying. Those who excel in this skill would become distinguished (*ellogimos*), while the poor players would be consigned to obscurity. Protagoras is clearly implying in this passage that a person of outstanding moral *arete* will be

distinguished and prominent in the community; and attaining prominence was something that the Ancient Greeks in general found very desirable. As previously noted, Hippocrates in the *Protagoras* is pictured as seeking instruction from Protagoras precisely because he thought such instruction would assist him in becoming *ellogimos* (316c).

Protagoras' arguments as sketched above are quite inadequate to the task of showing that acting morally necessarily benefits the agent. To start with, it is empirically obvious that the moral requirements of many existing communities are not advantageous (in the strong sense) to all citizens. Thus, at least some of the benefits which Protagoras sees as resulting from the observance of moral requirements exist, at best, only in certain communities. Indeed, it was on the basis of observing and analyzing the moral requirements of existing communities that Thrasymachus was led to the conclusion that justice is, in fact, nothing but the advantage of the stronger or the ruling party (*Republic* I, 338c-339a). But even if one grants that moral requirements are advantageous in all the ways Protagoras says they are, his arguments would still not demonstrate that an agent has sufficient reasons to observe them at all times.

To show why this is true, I shall turn to the arguments employed by Glaucon and Adeimantus in the second book of the *Republic* against traditional defenses of justice (357a-361d and 362d-367e).<sup>94</sup> Glaucon begins by noting that there are three kinds of goods: those desired for their own sake, those desired for their consequences, and those desired for both of these reasons (357b-d). He then remarks that justice was traditionally viewed as a good in virtue of its consequences (358a), a characterization which certainly fits Protagoras' theory.

If justice is valued only because of its benefits, a rational egoist – someone who acts to promote his self-interest – would not have reason to act justly in circumstances where the desired benefits could be procured by other means. The reason for this is that justice requires that one regard the interests of others – something a rational egoist will do only if the benefits he wants require him to be just. On the assumption that these benefits can be attained only by acting justly, he will view justice as one of those goods which are in themselves laborious and painful, such as physical exercise, being healed when sick, and making money – to use Glaucon's examples (357c). In claiming that justice is of value for its beneficial consequences, Protagoras is committed to the task of showing the rational egoist that he has sufficient reasons always to perform just acts even though they are laborious and painful in themselves; showing, in other words, that the benefits in question can only be attained by always acting justly. Glaucon and Adeimantus, however, argue that one does not need to act justly to gain these benefits, that one can achieve them by other, less painful means.

In their argument, they distinguish, as Irwin has noted, between two different kinds of beneficial consequences which the traditional defenses of justice appealed to.<sup>95</sup> First, Glaucon demonstrates that justice cannot be adequately defended on the basis of its natural consequences, those which result from someone's justice apart from any other person's attitude toward it (358e-360d). To show this, he

gives the following account of a social contract: Rational egoists agree on a policy of justice or mutual non-aggression as a compromise between what each person really wants (the ability to commit injustice) and what each fears the most (suffering injustice). Suffering injustice is considered by each to be more of an evil than committing injustice is a good. However, none of the contractors would have reason to refuse the ring of Gyges with which one could commit injustices without being caught.<sup>96</sup> To put this argument in the context of an ongoing political community, no one would necessarily have sufficient reasons to act justly if he could escape notice in committing injustices. Protagoras cannot defend himself against Glaucon's argument. He could, of course, rightly point out that no rational egoist would want everyone to have the ring of Gyges, for then he would not be better off than he was in the state of nature. And in general, it would not be to his advantage for anyone other than himself to have this ability. Protagoras could also point out that an agent has sufficient reasons to act justly when such action is necessary for the survival of the political community in which he lives or when his acting unjustly would seriously undermine his community's moral requirements in such a way that they would no longer provide (to a sufficient extent) the benefits he wants from the enforcement of these requirements. But these points are not sufficient to meet Glaucon's objection to traditional defenses of justice for the simple reason that the existence of the benefits everyone wants from the enforcement of moral requirements does not, in general, depend on whether any particular person observes these requirements.<sup>97</sup> That is, political communities are generally not adversely affected to any appreciable degree by the actions of a free-rider egoist – someone who promotes his own interests and commits injustices when advantageous to do so, while relying on others to secure the benefits everyone (including himself) wants from the observance of moral requirements. Protagorean theory cannot show that it is never advantageous for an agent to act in this way if he can escape notice in doing so.<sup>98</sup>

Glaucon's argument brings to light that for the most part, Protagoras' arguments for the beneficial nature consequences of justice are in actuality arguments for the view that just acts are beneficial for recipients: the justice of others benefits the recipient because it secures regard for his interests and makes possible the existence of a political community, a necessary condition for an individual's survival. Nevertheless, Protagoras could go on to say that if members of the community were not agents who benefit others and behave justly toward them, no member would ever be a recipient of the benefits of justice. On this view, acting justly is beneficial to the agent because he, in turn, will become a recipient of other people's justice: mutually benefiting one another and mutual acts of justice secure the benefits everyone wants. The defense of moral action on grounds of reciprocity is a commonsensical one. It is, however, quite inadequate for the task of countering Glaucon's arguments.

Second, Adeimantus demonstrates that justice cannot be adequately defended on the basis of its artificial consequences, those which depend on other people's favorable attitudes to one's justice and their desire to reward it. The point of his argument is that if one values justice for its artificial consequences, then one only has reasons to *appear* just (362e-363a). We have seen that Protagoras did attempt to

defend justice on the basis of such consequences in arguing that those who act justly (at least those who do so to an outstanding degree) will be honored and gain special recognition in the community. But, of course, Protagoras cannot refute Adeimantus' argument: gaining such recognition only requires that one seem just to other members of the community.

As far as I can tell, there is only one passage in the Great Speech which may point specifically to the fact that Protagoras could not show that acting morally necessarily benefits agents. At 323b, he might be saying that it would not be prudent (*sophronein*), but mad for someone to say that he is not just even if he speaks the truth.<sup>99</sup> This would seem to imply that if an unjust person appears just and gets away with saying he is just, then he will not only reap the benefits of his own injustice, but will be able to receive the rewards and distinction which a community bestows on the just.

However, even if this interpretation of the passage is correct, the Great Speech gives no indication of whether Plato's Protagoras was aware of the implications of his remark. Nor is there any direct evidence that the *historical* Protagoras recognized that his theory did not demonstrate that acting justly is always congruent with an agent's acting in his own interests.<sup>100</sup> And certainly there is no indication that he thought he needed to grapple with the difficult theoretical issues raised by Glaucon and Adeimantus. All that can be said with certainty is that he believed acting justly is, in general terms, advantageous to the agent.

It seems quite plausible, however, that he had an outlook similar to that of the Anonymus Iamblichi. The latter claimed (1) that an agent should not (contrary to justice) rush after his own advantage (6.1) and (2) that the consequences of acting justly are advantageous (7.1-12). There is confusion in these claims: if acting justly is advantageous, then there would be no need to caution an agent against acting in his own interests. To clear up the confusion, the Anonymus Iamblichi would have to argue that the advantage referred to in claim (1) is not true advantage, but merely what the agent mistakes for his own advantage. However, this is precisely what the Anonymus Iamblichi does not show – and neither does Protagoras. But it seems to me that neither of them would have believed that the advantage in claim (1) represents true, enlightened self-interest. There is no indication that any theorist of the time would have asserted that one always ought to obey moral requirements if he did not, in fact, believe that ultimately such action is in one's interest. Of course, believing this and being able to argue for it are two different matters. It seems likely to me that the historical Protagoras would have been vaguely aware that he could not successfully argue for it. Certainly he never talked about the benefits of being moral in terms of the strong claim that acting morally necessarily promotes one's self-interest in all circumstances. But as we shall see, the fact that he could not make this claim and yet thought moral requirements ought to be obeyed was seen by other theorists of the time as the most objectionable feature of his moral theory.

That Protagorean theory cannot show that morality and self-interest are compatible is one of the central themes of the post-Great Speech section of the *Protagoras*.<sup>101</sup> At the end of this dialogue, Socrates concludes that Protagoras does not

think *arete* is a matter of knowledge and hence, despite what is said in the Great Speech, does not really believe that *arete* is teachable (361b-c). Socrates' conclusion is surprising. My analysis in this chapter has indicated that Protagoras did think that moral *arete* is a matter of knowledge, at least in part – not merely in the weak sense that citizens know (are aware of) the moral requirements of their community, but also in the stronger sense that wise lawmakers and politicians know the sorts of requirements which are necessary for any political community to survive. Thus, if Socrates thinks *arete* is not an object of knowledge for Protagoras, he must have in mind some special property (properties) which *arete must* have for it to be an object of knowledge, something which Protagoras does not attribute to it.

In the post-Great Speech section, Socrates argues that knowledge is both a necessary and sufficient condition for *arete* (living well). Once it is granted that knowledge is a necessary condition, it will, on Socrates' view, also be a sufficient condition, for no one acts in ways which he knows will be disadvantageous. But on Protagoras' view, knowledge could not be a sufficient condition for moral *arete* precisely because he cannot demonstrate that acting morally is necessarily beneficial for an agent: one could know what moral *arete* requires, but still not act accordingly. It is this feature of Protagoras' theory which Socrates finds most objectionable and which leads Socrates to conclude that on Protagoras' view, *arete* is not a matter of knowledge and hence not teachable.

In the Great Speech, Protagoras remarks that all citizens must share in moral *arete* if there is to be a political community (324d-e). On the other hand, he talks about three particular *aretai*: justice, moderation, and holiness.<sup>102</sup> Socrates begins his discussion after the Great Speech by asking Protagoras whether particular *aretai* are related to *arete* itself as the parts of a face (eyes, ears, and so forth) are related to the face or as the parts of gold are related to gold (329d). Protagoras opts for the former view; but Socrates, who wants to argue for the unity of virtues, finds Protagoras' answer unsatisfactory. Scholars disagree about what Socrates means by the unity of virtues; but for our purposes it will be sufficient to know that at the very least – and all scholars are in agreement about this – Socrates is arguing for the biconditionality thesis, the thesis that anyone who possesses any one of the virtues will necessarily possess all the others.<sup>103</sup> Protagoras disagrees with this thesis. He specifically remarks at 329e (and 349d) that someone can possess some virtues, but not others. Protagoras' view is commonsensical and rests on empirical observation. However, as previously noted, he does not hold that the requirements of any of the virtues in a particular community conflict (at least ideally): the requirements of all virtues cohere in such a way that they collectively promote a specific non-moral good, the survival of the community.

The post-Great Speech section can conveniently be divided into three parts: In the first part (330c-334c) Socrates attempts to argue for the unity of (1) justice and holiness (330c-332a), (2) *sophrosyne* and wisdom (332a-333b), and (3) *sophrosyne* and justice (333b-334c); in the second part there is an interlude and an analysis of a poem by Simonides (334c-349a); and in the third part Socrates presents an initial argument for the unity of wisdom and courage (349d-351b), then argues for knowledge being a necessary and sufficient condition for living well

or living pleasantly (351b-358d), and finally presents a second argument for the unity of courage and wisdom (358d-360e). The dialogue ends with some general concluding remarks by Socrates (360e-362a). This outline may indicate that this section of the *Protagoras* is relatively straightforward; but, as we shall see, the nature of what is really going on will seem quite obscure at first and will only very gradually come to light.

Issues relevant to the present discussion begin to emerge with Socrates' argument for the unity of *sophrosyne* and wisdom in the first part of the post-Great Speech section. He argues roughly as follows:

- 1) Wisdom is the opposite of folly (*aphrosyne*) (332a)
- 2) *Sophrosyne* is the opposite of folly (332e)
- 3) But one thing (quality) has but one opposite (332c)
- 4) Therefore, wisdom and *sophrosyne* are identical (333b).<sup>104</sup>

One important thing which needs to be asked here is why *sophrosyne* is the opposite of folly. 'Folly', as C.C.W. Taylor notes, regularly designates a serious failure to take into account considerations which should guide an agent's prudential behavior.<sup>105</sup> It is normally the opposite of wisdom (*sophia*) and *sophrosyne* only if these terms designate prudence or good sense. When understood in this way, *sophrosyne* is a self-regarding quality in virtue of which one successfully promotes one's self-interest. This is clearly not the sense of *sophrosyne* in the Great Speech, for there it designated an other-regarding *arete* which secures cooperative behavior among citizens. In this sense, *sophrosyne* would prohibit acting intemperantly, immoderately, and with *hybris* towards others. In focusing attention on *sophrosyne* as prudence or good sense, Socrates is beginning to confront Protagoras with the issue of whether other-regarding behavior is compatible with self-interest.<sup>106</sup>

That this is what Socrates is doing becomes strikingly clear in his next argument. He begins by asking Protagoras whether it is possible to exercise *sophrosyne* in committing an injustice (333b-c). Given Protagoras' view in the Great Speech that the requirements of the various *aretai* do not conflict, the reader would expect him to say that what Socrates suggests is not possible. However, he replies instead that he would be ashamed to admit that it is possible, despite what many people say. His reply is revealing. First, it shows that he thinks Socrates is using '*sophrosyne*' in the non-moral sense of prudence. And second, it shows that Protagoras recognizes he cannot successfully contravene the view that one can exercise prudential good sense in committing an injustice, although at the same time he does not want to admit that an agent may not have sufficient reason to act justly, that is, he does not want to give up his belief that morality and self-interest are compatible. But to refute Socrates, he would have to argue for the strong claim that acting morally necessarily benefits the agent in all circumstances.

After Protagoras' reply, Socrates proceeds to present an argument which will show Protagoras that acting with *sophrosyne* is incompatible with acting unjustly. He argues as follows (333d-e):

- 1) To act with *sophrosyne* is to act with good sense (*eu phronein*)
- 2) To exercise good sense in committing unjust acts is to plan these acts well



- 3) To plan these acts well is to be successful in carrying them out (that is, be successful in promoting one's interests and getting away with one's injustices)
- 4) Things (actions) which are good (*agatha*) (for men) are beneficial (*ophelima*) (for men).

Socrates' argument is never finished because Protagoras, who has been unnerved by everything Socrates has been saying, breaks in with a short 'speech' on the nature of the good and beneficial. Gagarin, however, quite reasonably suggests that Socrates would have finished out his argument as follows:<sup>107</sup>

- 5) To act with *sophrosyne* is to effect what is good and beneficial
- 6) To act justly is to effect what is good and beneficial, but to act unjustly is to effect what is bad (evil) and non-beneficial
- 7) Therefore, one cannot act with *sophrosyne* in committing injustices.

Perhaps Socrates' argument would have been more sophisticated; but in any case, it would not be successful unless he demonstrates that acting justly effects what is beneficial to the agent, or in other words, that there is no conflict between the prudential and moral points of view. This the above argument does not do. In the fifth premiss, the actions in question are beneficial to the agent; but in the sixth premiss, the actions in question are not shown to be beneficial in this sense.

In sum then, the first part of the post-Great Speech section is very inconclusive; it points indirectly to a problem in Protagorean moral theory, but it does not establish the superiority of Socratic theory. This part of the dialogue ends abruptly after Protagoras' short 'speech': Socrates refuses to continue conversing unless Protagoras first agrees to make his answers short.

The second part of the post-Great Speech section consists of a discussion of the ground rules which are to govern how Protagoras and Socrates will converse for the remainder of the dialogue and a lengthy analysis of a poem by Simonides (334c-349a). In this part, nothing is said which is directly relevant to the issues here, with the significant exception of a brief passage in which Socrates, while analyzing Simonides' poem, offhandedly reveals a crucial tenet of his moral theory: no one ever commits evil willingly (345d-e). This tenet, of course, is the famous Socratic paradox. But as Santas has convincingly argued, there are in actuality two Socratic paradoxes.<sup>108</sup> The first one can be called the prudential paradox; it involves the doctrine that no one desires bad things (*kaka*) or pursues them willingly. The *kaka* in question are non-moral: they refer to those things which are disadvantageous to a person's self-interest. This paradox is based on a belief in psychological egoism, the thesis that each and every person, as a matter of empirical necessity, only seeks what he thinks to be in his self-interest. Later on in the dialogue, Socrates explicitly argues for the prudential paradox (358b-d).<sup>109</sup> The second paradox can be called the moral paradox; it involves the doctrine that moral *arete* is knowledge and that no one willingly does morally evil things (*kaka*). Given Socrates' belief in psychological egoism, the moral paradox would not be coherent unless Socrates thought acting morally always benefits the agent. If he did not think so, then he could not hold that no one willingly does morally evil things; indeed, he would have to hold that everyone willingly acts immorally when such action is truly in his interest.<sup>110</sup> Thus,

the doctrine of the moral paradox is to be understood as follows: If one has knowledge of what morality requires and knowledge that acting morally always benefits the agent, then one will never willingly commit an immoral action.<sup>111</sup>

In arguing for the unity of *sophrosyne* and wisdom, Socrates, in effect, focuses attention on the prudential point of view by taking *sophrosyne* as a self-regarding *arete*; in asking whether it is possible to exercise self-regarding *sophrosyne* in committing injustices, he raises the issue of whether the prudential and moral points of view are compatible; and finally, in mentioning that no one commits bad or evil things willingly, he in effect proposes that the prudential and moral points of view are compatible and, thus, that knowledge is a sufficient condition for *arete*. In doing these things, Socrates indicates that Protagoras cannot demonstrate the compatibility of the prudential and moral points of view and hence that Protagoras cannot hold that knowledge is a sufficient condition for *arete*.

In the third and final part of the post-Great Speech section, these issues are given more substantive treatment. Here Socrates attempts to demonstrate the unity of wisdom and courage in response to Protagoras' claim that one can be pre-eminent-ly courageous, even though one is seriously deficient in all the other *aretai*. Socrates' first argument for the unity of courage and wisdom is difficult and flawed (349e-350c).<sup>112</sup> I shall not lay out the entire argument, but focus on two of Socrates' claims and Protagoras' response. First, Socrates argues that wisdom is a necessary condition for courage. Although this claim is not stated directly, it follows from two premisses: (1) the courageous are daring (349e) and (2) those who are daring, but without knowledge, are not courageous (350b). Although the second premiss is not adequately defended, Protagoras seems to feel that Socrates has successfully argued that knowledge is a necessary condition for courage.<sup>113</sup> Thus, Protagoras should now think he was wrong to suggest that one can be seriously lacking in wisdom and still be outstandingly courageous. However, the fact that Protagoras does not object to Socrates' argument might indicate that he was originally thinking of wisdom in broad terms and had not meant to deny that the exercise of courage requires some specialized knowledge. Second, Socrates claims that those who are the wisest are the most daring, or, in other words, that all those who are wise are, in fact, courageous (350c). In contrast to his response to the first claim, Protagoras does raise serious objections to the second one. He responds that to be courageous a person needs (proper) natural disposition (*physis*) and fit nurture (*eutropia*) (351a-b). At the very least, Protagoras is denying that courage can be reduced to a matter of wisdom or knowledge. In Socrates' argument, 'wisdom' had been used to designate technical competence; for example, practiced horsemen are said to be bolder than others in riding horses (350a). But, of course, it is far from obvious that the competence of a soldier, for example, will guarantee that he will face danger even to death in defense of his country, as courage may require him to do. Protagoras not only points out that he does not believe competence guarantees such action, but also that nothing in Socrates' argument has given him reason to alter his belief. On the assumption that Protagoras accepts the doctrine of psychological egoism, he needs to appeal to proper natural disposition and fit nurture as factors which persons must have if they are to be courageous precisely because his theory cannot

demonstrate to agents that acting courageously is always in their self-interest. In this context, an appeal to such factors is tantamount to acceptance of the view that morality and self-interest sometimes conflict. Plato is not indicating that Protagoras acknowledges the existence of such conflicts, but he is suggesting that their existence is implied by certain features of Protagoras' moral theory.

At any rate, if Socrates is to show that Protagoras is wrong in appealing to factors such as proper disposition, he must argue that prudential wisdom is a sufficient condition for moral *arete*. It is this task which Socrates *seems* to undertake in the next section of the dialogue, in addition to the task of giving a better argument for knowledge being a necessary condition for moral *arete* (351b-358d). However, what Socrates actually does is argue that knowledge is a necessary and sufficient condition for living well. I shall take up each of these arguments in turn.

First, Socrates' argument for knowledge being a necessary condition for living well. In this argument, Socrates takes it as given that living well is the end of human action and remarks that if one has lived well, then one has lived pleasantly (351b-c) – a remark which Protagoras interprets as a proposal to identify living well with living pleasantly (351e). Scholars disagree about whether Socrates himself in this dialogue holds that pleasure is *the* good for persons or whether he is thinking of it as that which the many take to be the good.<sup>114</sup> For purposes of this discussion, however, the important point is that Socrates' argument requires him to posit *some* determinate overriding good for man – a good which is of such a nature that it cannot be attained without knowledge. Pleasure is just such a good, as Socrates suggests at 356a-357b. He remarks that (given the assumption that pleasure is to be identified with the good) the salvation (*soteria*) of everyone's life depends on the right choice of pleasures and pains; one requires knowledge or the skill of measurement (*metrike techne*) to determine what actions will produce the greatest pleasures for himself in the long run. One needs to govern one's life by a hedonistic calculus – and this can only be done if one has the relevant knowledge. Thus, knowledge is a necessary condition for living well (living pleasantly).

Second, Socrates' argument for knowledge being a sufficient condition for living well. He claims at 352b-c that knowledge is able to govern men, that whoever learns what is good and bad is *never* swayed by anything to act contrary to his knowledge, intelligence being of *sufficient* assistance for conducting one's life properly. At 358d (cf. 358b-c) he argues that

no one willingly pursues evil things (*kaka*) or what he thinks are evils: it is, as it seems, contrary to human nature to do so, that is, to wish to pursue what one thinks is evil in preference to what one thinks is good. Whenever men are compelled to choose one of two evils, no one will choose the greater evil, when it is possible to have the lesser.

In this passage Socrates argues for psychological egoism. Knowledge is a sufficient condition for living well, given that no one will pursue actions which he knows are detrimental to his self-interest. Protagoras does not object to Socrates' sufficient-condition argument. This may seem strange in view of the fact that he had previously objected to Socrates' claim that knowledge is a sufficient condition for courage. But, of course, in that context, the point at issue was the connection between

knowledge and morality, whereas here the issue is the connection between knowledge and the prudential good of living well. Protagoras' responses to these issues come to the following: Prudential wisdom is a sufficient guide for the good (successful) life, but it will not necessarily lead one to perform moral actions. Plato's point could hardly be made more clearly: Protagorean theory does not show that being moral necessarily promotes an agent's self-interest.

In arguing for knowledge as a necessary and sufficient condition for living well, Socrates does not *directly* raise the issue of the compatibility of being moral and living well, and he certainly does not argue for their compatibility. However, I would suggest that moral issues are, in fact, alluded to in this section in two passages mentioning '*kalon*'. At 351c, Protagoras, refusing at first to accept what he takes to be Socrates' suggestion that the good (living well) is to be identified with pleasure (living pleasantly), replies that in light of his past life, it would be safer for him to say that one lives well only if one finds pleasure in what is *kalon* (fine, good, honorable, noble). If the '*kalon*' in this passage be understood in a moral sense, as I think it should, Protagoras would be saying that only pleasures which are compatible with morality promote the good life: being moral promotes one's self-interest and immoral action does not. In the post-Great Speech section Protagoras has had an underlying belief in the compatibility of morality and self-interest, but in this passage there is an open avowal of that belief. It would seem significant that when he makes this avowal in replying to Socrates' suggestion, he says that his reply is in keeping with all the rest of his life. Plato, I think, is here pointing to the fact that the historical Protagoras believed that being moral is in one's self-interest.<sup>115</sup>

The issue of the compatibility of the prudential and moral points of view is not again alluded to until 358b, where Socrates suggests that all actions aiming at living pleasantly (well) are *kalon*, good, and beneficial (*ophelimon*). Protagoras agrees with this suggestion; but clearly, if '*kalon*' be taken here as having, in part, a moral sense, Protagoras could not defend Socrates' suggestion – either on grounds of his own theory or on the basis of what Socrates has argued for. But despite this, '*kalon*' is to be understood as including a moral sense in this passage, as Socrates makes clear in his second argument for the unity of wisdom and courage (358d-360e), an argument which follows immediately after the passage identifying what is pleasant, good, and beneficial with what is *kalon*.

The issues here are confusing. What causes the confusion is this: Socrates' first argument for the unity of courage and wisdom breaks down because he did not adequately demonstrate that knowledge is a necessary and sufficient condition for moral *arete*. He then attempts to make up for the deficiencies in his argument by demonstrating that knowledge is a necessary and sufficient condition for living well; and he argues for this without making any reference to moral *arete* except for the introduction of the term '*kalon*'. This term functions as a bridge connecting living well and moral *arete* although there is no way to tell that '*kalon*' is functioning in this way until Socrates makes his second argument for the unity of wisdom and courage.

Socrates' argument can be sketched as follows:

- 1) The courageous (successfully) pursue what is, in fact, not to be feared (or shunned) (359c-d, 360d)
- 2) The courageous (successfully) pursue what is, in fact, *kalon* (359d-e)
- 3) What is *kalon* is good and pleasant (360a) (previously agreed to at 358b)
- 4) The courageous (successfully) pursue what is, in fact, *kalon*, good, and pleasant, that is, what is not to be feared (or shunned) (from 1, 2, and 3)
- 5) All desire to pursue what is, in fact, *kalon*, good, and so forth as in (4); no one willingly pursues what is not such (359d, 360a) (on the assumption of psychological egoism as previously argued for at 358c-d)
- 6) All desire to pursue what the courageous, in fact, pursue (from 5)
- 7) All would, in fact, pursue what the courageous, in fact, pursue (that is, all would be courageous) if (and only if) they had knowledge of what is, in fact, *kalon*, good, pleasant, and not to be feared (from 5 and 6; and on the assumption that the good is knowable and can only be successfully pursued if one has knowledge of it, as argued for previously at 356a-357b)
- 8) Cowards lack the knowledge referred to in (7) (360b-c)
- 9) Thus, cowardice is ignorance (360d) (from 7 and 8)
- 10) The courageous do have the knowledge referred to in (7) (360d)
- 11) Therefore, courage is knowledge (or wisdom) (360d).

Protagoras committed himself to all the premisses in the above argument and thus must accept the conclusion. But again, Socrates' victory is not substantive; it rests on the fact that Protagoras agreed that what is good and pleasant is also *kalon* (358b). In (1), 'what is not to be feared or shunned' means that which is not to be feared according to the requirements of courage, and thus cannot initially be understood as what is prudentially good. The collapse of the prudential and moral points of view arises from the combination of (2) and (3). In (2), '*kalon*' is morally *kalon*. In (3), 'good' is prudential good; but when this good is linked with what is morally *kalon* and required by courage, all courageous acts are now being said to be prudentially good acts. '*Kalon*' is first introduced into the argument when Socrates asks whether going to war is a *kalon* thing to do. Protagoras says that it is. But, of course, there has been no argument to show that going to war or observing all the requirements of courage is always in an agent's interest.

Protagoras raises no actual objections to Socrates' second argument for the unity of courage and knowledge, but, instead, becomes more and more perturbed as Socrates' argument draws to a close. He is in a difficult position. However deficient Socrates' argument is, Protagoras cannot raise objections because in doing so, he would have to admit that his theory cannot demonstrate the compatibility of morality and self-interest and hence that he cannot justify his belief that being moral is in one's self-interest.<sup>116</sup> Socrates, on the other hand, would seem to be admitting to the inadequacies of his arguments when he says that he and Protagoras have gotten into a tangle and that they should work their way through it in order to understand what *arete* is and to see whether it is teachable (361c).

The post-Great Speech section brings to the fore the reason why Protagorean theory cannot demonstrate that acting morally necessarily benefits the agent. The reason, in brief, is that Protagoras has no theory of what is good for persons (agents). His moral theory grounds moral requirements which secure the survival of a political community, as well as ideal requirements which are advantageous to all

citizens. But it has nothing to say about what particular interests are best for men to pursue. With no theory of the good for persons, he must accept as legitimate whatever conceptions of the (non-moral) good a particular individual or members of a particular community might have.<sup>117</sup> This feature of Protagorean theory is distinctly modern, but it leaves him totally ill-equipped to deal with the question of whether morality necessarily benefits agents. To show, for instance, that accumulation of wealth by immoral means is necessarily disadvantageous, it is necessary, as we shall see, to show that the accumulation of wealth is not an adequate conception of the good for persons.

Plato and Democritus delved into questions of human good. Both saw it in terms of a certain kind of inner life and argued that acting immorally is always incompatible with promoting this inner good. But clearly Protagoras did not think in these terms. He saw the requirements of moral *arete*, not as directly promoting what is truly good for agents, but rather as promoting the conditions (that is, properly functioning political communities) which make it possible for human beings to survive and pursue their interests, whatever they may be.<sup>118</sup> Thus, there is absolutely nothing in his theory on which he could draw to attempt to demonstrate that acting morally necessarily benefits the agent.

Socrates' approach to moral theory is dramatically different. For him, *arete* is the science (*metrike technē*) of the good life and enlightened self-interest. He remarks that the *metrike technē* (that is, *arete*) is the salvation (*soteria*) of an individual's life insofar as it guarantees that he will make the right choices in pursuing what is good for himself (357a-b). Protagoras, on the other hand, says that cities save (*sozein*) men. On this view, moral *arete* is the *soteria* of men only insofar as it allows them to found and maintain cities and to participate in community life. But if moral *arete* is a *soteria* for men only in Protagoras' sense, then clearly men will not always necessarily have reason to be moral. Nor will it be the case that anyone will necessarily possess the various *aretai* to the same degree or necessarily possess all the *aretai* if he possesses one of them. For Socrates, however, it is not possible for someone to have some *aretai* and not others. To possess *arete* is to possess the science of enlightened self-interest. There can be no question of possessing only some *aretai* and pursuing part of the good. No particular action or particular kind of action can be known by an agent to be good unless he knows the overall good by virtue of which any particular action can legitimately be considered good. It is on these grounds and on the basis of psychological egoism that Socrates argues for the biconditionality thesis or the unity of virtues.

Socrates and Protagoras do share one belief about the unity of virtues; that is, both agree that the requirements of the various virtues do not conflict. But even if we assume that Protagoras accepted the doctrine of psychological egoism, knowledge of moral *arete* will not, on his view, guarantee that one will act morally since he does not and cannot show that acting morally necessarily benefits agents; and thus, one can possess some moral *aretai*, but not others. Because Protagoras did not see acting morally as exclusively a matter of knowledge, Socrates says Protagoras does not really think moral *arete* is teachable. What Socrates requires, at least in part, for *arete* to be teachable is that proper instruction in it necessarily leads to moral

behavior. Protagoras can have absolutely nothing to say about moral *arete* being teachable in Socrates' sense – nor could he have until he propounded some theory of human good.<sup>119</sup>

In sum then, the post-Great Speech section of the *Protagoras* confirms two central points made about Protagoras in this chapter: (1) he believed moral requirements are rational from the prudential point of view, but (2) he could not demonstrate that morality and self-interest are always compatible. On the other hand, I found no references in this section to Protagoras' relativism.<sup>120</sup> This *may* be significant, that is, this may indicate that Plato saw as the most objectionable feature of Protagoras' moral theory, not its relativism, but its inability to show that acting morally necessarily benefits the agent. If so, Plato would not have been the first to focus on this feature of Protagorean moral theory. He would have been preceded in this by Antiphon; and it is to a discussion of Antiphon's moral theory and his 'response' to Protagoras that I now wish to turn.

## CHAPTER THREE

### ANTIPHON

Antiphon the Sophist was a contemporary, probably a younger contemporary, of Protagoras.<sup>1</sup> On the assumption that he is to be distinguished from Antiphon the Orator (Antiphon of Rhamnus), nothing is known about the external circumstances of his life except that he was probably an Athenian.<sup>2</sup> He was not a famous Sophist like Protagoras, nor is he mentioned by Plato. But whereas almost nothing remains of Protagoras' actual writings, significant fragments from Antiphon's works have survived.

Up to the beginning of the twentieth century, our direct knowledge of Antiphon's moral theory was limited to twelve fairly short fragments, passages which had been excerpted from his writings by Stobaeus, an anthologist who lived in the fifth century A.D.<sup>3</sup> Stobaeus did not indicate the work (or works) of Antiphon from which he was quoting. In general, these fragments express a basic pessimism about the human condition and offer advice about how to make the best of a difficult situation. Antiphon's remarks are interesting, but in themselves of little theoretical import. However, they took on new significance when in 1889 Blass suggested that Stobaeus had been quoting from Antiphon's *On Concord* (*Peri Homonoias*)<sup>4</sup> 'Homonoia' (like-mindedness, concord, harmony) is a term which had been used by the Ancient Greeks to designate either a harmonious condition among the members of a political community or the condition of an individual at peace with himself. Plato used the word in both senses.<sup>5</sup> Despite the fact that none of the Stobaeus fragments deals with the subject of *homonoia* as such, it came to be believed – and it is sometimes believed even today – that Antiphon was a moralist who subscribed to a lofty ideal of moral requirements, proposed an ideal of either civic or inner harmony or both, and shared with Plato an interest in moral psychology.<sup>6</sup>

By 1906, however, our knowledge of Antiphon's moral views was no longer restricted to the Stobaeus fragments; for in that year, two discontinuous sections of a papyrus fragment from Antiphon's *On Truth* were discovered (P. Oxy. 1364 = fr. 44A and 44B). A number of years later, an additional papyrus fragment from the same work was found (P. Oxy. 1797 = fr. 44).<sup>7</sup> These papyrus fragments provide about 300 very short lines of text. Unlike the Stobaeus fragments, they have immediate and obvious theoretical significance and raise many, if not most, of the important issues discussed by early Greek moral theorists.

However, what these fragments had to say about moral issues came as quite a surprise to scholars insofar as they appeared to contain views radically at odds with the Stobaeus fragments. In fr. 44A, for example, Antiphon seemingly adopts the perspective of rational egoism, denies that moral requirements always ought to be obeyed, and supports the claims of *physis* (nature) over those of *nomos* (law/custom). But commentators have by no means always interpreted fr. 44A in this way. Indeed, the papyrus fragments have unfortunately proved to be extremely



difficult to interpret. For one thing, they have no context; and as a result, it has even been suggested that in these fragments (or at least in fr. 44A), Antiphon is not presenting his own views, but rather those of others. And further, Antiphon's style obscures, rather than illuminates. Hermogenes, a rhetorician of the second century A.D., presumably had the entire text of *On Truth* on hand in making the following evaluation of Antiphon's writing:

.... [Antiphon] is not a bit the politician, but is grand and pompous, particularly in his way of dealing with every matter by categorical assertions, characteristic of a style which is dignified and aiming at grandeur. His diction is lofty and rugged, almost harsh, and employs amplifications without achieving clarity, with the result that he confuses the argument and is generally obscure.<sup>8</sup>

Largely because of the apparent incompatibility between the Stobaeus and papyrus fragments and because of the difficulties involved in interpreting the papyri, commentators have been sharply divided in their assessment and analysis of Antiphon's moral views.<sup>9</sup> Some scholars see the papyrus fragments (especially fr. 44A) as a radical denunciation of *nomima kai dikaia*; they take them to represent the real views of Antiphon and, consequently, characterize him as an immoralist. They have viewed Antiphon's attack on *nomoi* as being so radical that they have had to conclude that the claims in the Stobaeus and papyrus fragments are incompatible. Thus these commentators have, at best, regarded the Stobaeus fragments as peripheral and have sometimes even denied their authenticity.<sup>10</sup> Other scholars see Antiphon as a moralist whose views in the Stobaeus and papyrus fragments are compatible. On this interpretation, fr. 44A is not seen as a radical, theoretical critique and attack on moral requirements from the perspective of rational egoism, but rather as a sociological critique of bad laws or of a poorly functioning judicial system.<sup>11</sup> Or alternatively, it is thought that in this fragment Antiphon is not presenting his own views.<sup>12</sup> A number of these scholars think that Antiphon is so far from being an immoralist that he rejects the *nomima-kai-dikaia* conception of justice in favor of the loftier and nobler ideal of mutual non-aggression or "neither committing nor suffering injustice," a conception of justice mentioned in fr. 44.<sup>13</sup>

In this chapter I shall reject the above interpretations of Antiphon and argue that he was an immoralist whose views in the papyrus and Stobaeus fragments are entirely consistent.

Discussion of Antiphon's moral theory is best begun by taking up issues raised in the important papyrus fragment 44A; and for purposes of analysis, I shall divide this fragment into three parts. In the first part (1.6-2.23) he lays the groundwork for his analysis and discusses differences between *physis* and *nomos*; in the second part (2.23-5.24) he argues that the majority of *nomoi* are inimical to *physis* because they impose restraints which result in agents acting contrary to their self-interest; and in the third part (5.25-7.15) he argues that the legal system provides neither compensating advantages for those who (always) submit to the restraints imposed by *nomoi* nor deterrent disadvantages for those who do not (always) submit. Since this fragment is so important, I shall translate it in full over the course of my discussion. In translating, I divide the text into six consecutively numbered parts.

The text of the fragment opens with a definition of justice:<sup>14</sup>

- 1) justice is not to transgress the *nomima* (laws and customs) of the city in which one is a citizen.

(1.6-11)

This conception of justice not only involves the view that justice requires one to obey the *nomoi* of one's political community, but also that justice is coextensive with these *nomoi*. Later on at 2.27-28, Antiphon talks about things being just according to *nomos* and thus makes clear that he is discussing a conception of justice according to which justice is defined solely by *nomoi* or *nomima kai dikaia*. The text gives no indication of whether Antiphon is adopting this conception as his own, but clearly it was the one adopted by Protagoras.<sup>15</sup>

After defining justice in this way, he immediately goes on to say the following:

- 2) Accordingly (*oun*) a man (an agent) would use justice to his own best advantage if he regarded the *nomoi* as overriding (*megaloí*, great) in the presence of witnesses, but (regarded as overriding) the things of nature (*ta tes physeos*) when no witnesses were present. For the things (prescriptions?) of laws (*ta ton nomon*) are artificial (*epitheta*, added, imposed), but those of *physis* are necessary; those of laws are products of human agreement, not products of organic growth, but those of *physis* are products of organic growth, not products of human agreement. As a result (*oun*), in transgressing *nomima*, if someone escapes the notice of those who agreed upon them, he escapes shame and loss (*zemía*, penalty); but this is not the case if he does not escape notice. But if anyone violates any of the things innate to *physis*, acting contrary to what is possible (*para to dynaton*), the evil (*kakon*) he suffers is not less if he escapes the notice of all men, nor is the evil (injury) greater if all men see him. For the injury in question is a matter of truth, and not a result of human opinion (*doxa*).

(1.12-2.23)

Two things immediately need to be noted about this passage. First, Antiphon does not say men *ought* to disregard *nomoi* and follow *physis* when they can escape notice in doing so. All of Antiphon's remarks are statements; there are no injunctions to pursue self-interest.<sup>16</sup> Whether he did adopt self-interest as his criterion for action will be one of the central issues of this chapter. And second, this passage contains no claim to the effect that *nomoi* conflict with *physis* or self-interest. Such a claim is only made by Antiphon immediately following the above passage:

- 3) On account of these things (the issues raised in passage (2)),<sup>17</sup> an investigation (*skepsis*) is being conducted because most of the things which are just according to *nomos* are inimical to *physis*.

(2.23-30)

In other words, the reason why Antiphon is conducting an analysis of the claims and issues discussed in passage (2) is that most *nomoi* conflict with *physis*. Passage (3) implies that passage (2) can be understood independently of the question of whether *nomoi* and *physis* conflict.

With that in mind, I would suggest that Antiphon's argument in passage (2) can be spelled out as follows: In promoting self-interest, an agent needs to regard *nomoi* in

the presence of witnesses; otherwise he needs to regard *physis* (1.12-23). (Antiphon is claiming that *physis* is a reality which, when acted upon, will result in advantage for the agent in circumstances where the agent need not take into consideration the prescriptions of *nomoi*, that is, in circumstances where the agent can escape notice in acting.)<sup>18</sup> The reason why (*gar*) a self-interested agent ought to act in this way is that *nomoi* and *physis* have different properties by virtue of which transgressions against *nomoi* do not (necessarily) have the same results for the transgressing agent as transgressions against *physis*. On the one hand, *nomoi* are imposed and products of agreement (1.23-31). (There is an obvious sense in which this claim is empirically true even if particular *nomoi* (or even all of them) turn out, in fact, to conform to *physis*. *Nomoi*, as a matter of fact, are imposed and products of human agreement.) As a result, when an agent transgresses *nomoi*, he does not suffer loss if he escapes the notice of those who agreed upon and imposed them, but does suffer loss if he fails to escape notice (2.3-10) – on the assumption that an agent will necessarily be punished if his act is seen by others. (In this context, Antiphon is considering *nomoi* purely from the theoretical perspective of their being products of human agreement and imposition. From this perspective, it would be legitimate to say that an agent would not suffer loss in disobeying *nomoi* when he can escape notice in doing so. Antiphon's claim is correct. He cannot in this context be thinking of *nomoi* from the perspective of the content of any particular *nomoi* which happen to exist in political communities, for then his claim would not be correct; any particular *nomos* could, in fact, be in accord with *physis* and result in loss for the transgressing agent even if he escapes notice in acting.) On the other hand, *physis* is necessary, organic, and not a product of human agreement (1.25-2.3). (*Physis*, unlike *nomos*, is a reality which is necessarily so; and it has existence independent of *nomoi*: it would exist regardless of whether *nomoi* existed.) As a result, in acting contrary to *physis*, an agent suffers automatic loss (injury) and the same amount of loss whether or not witnesses are present – the reason for this being that the loss or injury in question is a matter of truth, and not the result of human opinion about what kinds of action should be punished (2.10-23).<sup>19</sup> (Given that *physis* is a reality which, when acted upon, necessarily and in truth results in advantage for the agent, an agent necessarily suffers loss in acting contrary to *physis*.<sup>20</sup> Antiphon's point is that a self-interested agent should always regard *physis* in the absence of witnesses. Even when such an agent can escape notice in transgressing *nomoi* which do not, in fact, conflict with *physis*, he will find *nomoi* to be an unnecessary and superfluous consideration in determining how he ought to act.)

Two further features of Antiphon's argument are important to note. First, insofar as *physis* is the only reality which is to be consulted in the absence of witnesses in determining what will promote an agent's interest, Antiphon would clearly think that in consulting it, an agent will learn, among other things, whether or not self-interest requires regard for the rights of others. In other words, *physis* would not be for Antiphon a reality of such limited use in determining what will promote self-interest that it would be neutral in respect to moral questions. And second, given Antiphon's theoretical framework, it is legitimate for him to say that an injury or loss from transgressing *physis* is an injury in truth, while an injury from transgressing

*nomoi* is an injury in opinion; but this distinction is unhelpful and somewhat misleading since it commits him to the rather odd and non-commonsensical view that *nomos*-transgressing agents do not suffer *true* loss if they are caught and punished. On Antiphon's terminology, what is truly disadvantageous and truly contrary to self-interest is to disregard *physis*. Thus, it is in one's *true self-interest* never to obey *nomoi* which conflict with *physis*. On the other hand, it would be in one's *self-interest* to obey such *nomoi* when witnesses are present. Antiphon's terminology involves, in effect, a distinction between self-interest and true self-interest – a distinction which is not to be confused with or reduced to the commonly made distinction between true and apparent self-interest. The reason he adopts such terminology is that he wants to emphasize that obeying *nomoi* which conflict with *physis* is, in itself, always truly disadvantageous even if witnesses are present. In my discussion I shall speak of *true* self-interest and what is *truly* advantageous where the distinction Antiphon is making plays an important role in his arguments.

On the whole, Antiphon's argument in the first part of the fragment is concise, theoretical, and correct. His argument, however, would be purely 'academic' or theoretical if the content of particular *nomoi* did not, in practice, conflict with *physis*. Antiphon recognizes this point in passage (3) when he announces that the reason why he is investigating these issues is that the majority of *nomoi* do, in fact, conflict with *physis* (2.23-30). Given that actual conflicts exist, what needs to be determined now is what Antiphon's opening remarks imply about the nature of those *nomoi* which conflict with *physis* (true self-interest).

Certainly the most natural reading of these remarks would be to interpret them as implying that *nomoi* which prohibit disregard for the interests of others are not always compatible with self-interest.<sup>21</sup> Such a reading is strongly suggested by the following three features of Antiphon's analysis. First, he focuses on self-interest as a criterion for action. Self-interest is in no way obviously always compatible with regard for the interests of others or for the rights of others, however those rights are defined by *nomoi*; and we have seen that Plato pictures Protagoras as one who avoided seriously confronting this problem. Both Protagoras and the Anonymus Iamblichi thought that, generally speaking, it is in the interest of agents to observe these requirements, but neither of them made the strong claim that acting purely on the basis of self-interest would always result in moral action. On the other hand, since Antiphon focuses directly on self-interest as a criterion for action, it would be most natural to assume that he is implying that self-interest is not always compatible with *nomoi* prohibiting disregard for the rights of others, especially in light of the fact that there are no indications in his opening remarks to the contrary and in light of his claim that the majority of *nomoi* conflict with self-interest. Certainly this was Callicles' point when he remarked that in most cases *nomos* and *physis* (self-interest) are in opposition to each other (*Gorgias* 482e).

Second, Antiphon sees *physis* as antithetical to *nomos*. The *nomos-physis* antithesis was apparently often (albeit not always) used by the Greeks for the purpose of arguing that moral requirements prescribing regard for the rights of others conflict with self-interest.<sup>22</sup> In the *Republic* (358e), Glaucon remarks that (some) men say that committing injustice is by nature (*pephykenai*) good (for agents). He

makes this remark in introducing a discussion of the origin of *nomoi* prohibiting injustice. The whole point of the passage is that some men think such *nomoi* conflict with *physis* and the self-interest of agents. Again the most natural assumption would be that this point is the one being made by Antiphon.

And third, Antiphon raises the escaping-notice issue. We have already seen that Glaucon and Adeimantus in the *Republic* focus on this issue in raising objections to traditional (Protagorean) defenses of justice. The issue was raised by others. Critias writes:

[Men] set up *nomoi* as chastisers so that justice might become tyrant < equally of all > .... Since *nomoi* hindered them from committing obvious (open) crimes by force, they committed them in secret.... At this point some clever and wise man invented fear < of the gods > ...[and said to the people], 'If you plan some evil in silence, this will not escape the notice of the gods.'<sup>23</sup>

(fr. 25)

In fr. 181, Democritus remarks that one who is (merely) prevented by the laws from committing injustice is likely to do wrong in secret. And in a conversation between Socrates and Hippias as reported by Xenophon, Socrates comments that some men, when they transgress *nomoi* ordained by men, escape punishment by escaping notice or by means of force (*Mem.*, IV.iv.21).<sup>24</sup> Given the fragmentary nature of our knowledge of early Greek moral theory, the comparatively frequent mention of the escaping-notice issue strongly suggests that it played a central role in the moral theory of the time. What made this issue so important was the apparent fact that an agent did not have sufficient reason to regard the interests of others in circumstances when he could act in secret. Again it would be most natural to assume that this is the point Antiphon is making in claiming that a self-interested agent should regard *physis*, rather than *nomoi*, when he can escape notice in acting.

Although the most natural reading of Antiphon's opening remarks is that they imply it is not beneficial for an agent under certain circumstances to observe *nomoi* prohibiting disregard for the interests or rights of others, it does not, of course, follow that Antiphon actually held this view. But given that the claims he makes could be and were used to support such a view and given that it is highly improbable that he would not have been aware of this, he would have been aware that he needed to present substantive arguments against this view, if he did reject it.

The difficult nature of the arguments Antiphon would have had to present can be seen by taking a look at the way he characterizes action in accord with self-interest and *physis*. According to his opening remarks, such action involves observing *nomoi* in the presence of witnesses and observing *physis* in the absence of witnesses. Given Antiphon's assumption that where *nomoi* and *physis* conflict, the loss from transgressing *physis* is always less than the loss suffered as a result of being caught and punished for transgressing *nomoi*, then acting in accord with Antiphon's criterion would make an agent an act egoist, someone who attempts to maximize his own interests in each and every situation in which he acts – and not a rule egoist, someone who adopts certain general rules which, when acted upon, are believed by

him to best promote his interests in general and over the long run, but not necessarily in any given situation. Moral requirements can more easily be defended from the perspective of rule egoism than from that of act egoism. Because of the way Antiphon spells out the criterion for action of self-interest, he would be committed to the more difficult task of showing that it is never in the interests of an agent to disregard the rights of others when he can escape notice in doing so. To argue for this, he would have to argue that disregarding the interests of others is always incompatible with *physis*.

What Antiphon says about acting contrary to *physis* is that such action results in automatic loss or injury for agents. Acting in accord with *physis* would thus not result in such loss. Unfortunately Antiphon does not spell out what he means by 'loss'; but it would not be plausible to interpret it merely as the diminution of an agent's good.<sup>25</sup> 'Loss' and 'disadvantage' are terms which make sense only in reference to the existence of some good. Certainly it is advantageous for persons to increase their overriding or final good; and this would be true even if the good for persons was contentment, satisfaction with what one presently has; for it would be advantageous to increase the good of contentment, that is, increase the ability to be content so as to attain a higher level of contentment. Thus loss or disadvantage needs to be interpreted not only as the diminution of one's current level of good, but also as the failure to increase that good when possible to do so. Given that, in order to meet the criteria Antiphon has, in effect, established for showing the compatibility of morality and self-interest, he would have to posit a good for persons of such a sort (1) that it is never true that one can promote and increase it by immoral means and (2) that it is always true that immoral action is automatically (necessarily) disadvantageous to the maintenance and promotion of this good.

Not only would he have to posit such a good, but he would have to argue in defense of it. There is, of course, no argument in his opening remarks for the view that disregarding the interests of others is always incompatible with *physis*. My only reason for raising this issue in the present context is to point to the difficulties he would face in attempting to argue for it. Commentators who ascribe the above view to Antiphon generally ignore or are unaware of these difficulties.<sup>26</sup>

In any case, regardless of what view Antiphon held about the specific nature of *nomoi* which conflict with *physis*, his opening remarks represent a sharp rejection of Protagoras. Antiphon's arguments are based exclusively on the two problematic features of Protagoras' theory singled out in Chapter Two: namely, (1) *nomima kai dikaia* are (largely) products of agreement (community will) and (2) it is not necessarily in an agent's interest to observe them. Clearly, however, Antiphon emphasizes the second issue. In fact, he collapses the two issues by focusing on the fact that agreed-upon prescriptions of *nomoi* do not as such result in disadvantage for the agent who transgresses them.

The second part of fr. 44A can be divided into two sections. In the first section (2.23-4.22), Antiphon argues that the reason why *nomoi* and *physis* conflict is that *nomoi* place disadvantageous restraints on *physis*. In the second section (4.32-5.24), he provides specific examples of actions which are in accord with *nomoi*, but inimical to *physis*.

The first section actually opens with passage (3) where Antiphon makes the claim that the majority of *nomoi* are inimical to *physis*. The text then continues as follows:

- 4) For the laws have laid down what the eyes must see and not see, what the ears must hear and not hear, what the tongue must say and not say, what the hands must do and not do, where the feet must go and not go, what the mind must desire and not desire. But what the laws turn men away from is no friendlier or more akin to *physis* than what the laws turn men toward. On the other hand, life and death are matters of *physis*; life is among the things that are advantageous (or life is from whatever is advantageous), death is among the things that are disadvantageous (or death is from whatever is disadvantageous). Advantages laid down by the laws are bonds on *physis*, but advantages laid down by *physis* are free. In right reason it is not the case that the things which bring pain benefit *physis* more than what brings joy, nor is it the case that the things that bring grief are more advantageous than what brings pleasure. For by necessity, truly advantageous things do not harm, but benefit.  
(2.30-4.22)

... These who act in self-defense and do not take the offensive themselves, those who treat their parents well even if their parents mistreat them, and those who allow others to take an oath and not take an oath themselves – anyone would find many of these things (also) inimical to *physis*; in them there is more pain when less is possible, less pleasure when more is possible, and suffering when no suffering is possible.  
(4.32-5.24)

Antiphon's argument in (4) begins with the claim that *nomos* and *physis* conflict because the positive and negative injunctions of *nomoi* restrict *physis* by restricting the desires of the mind (*nous*) and the activity of the eyes, ears, tongue, hands, and feet (2.30-3.25). Antiphon's point, of course, is not that *nomoi* put restrictions on the bodily organs as such, but that *nomoi* determine how or whether an agent can use them. Since Antiphon goes on to argue that the restrictions imposed by *nomoi* are not in an agent's interest, his point here is that *nomoi* restrict the agent's use of his organs to pursue his self-interest.

To put restrictions on *physis*, then, is to put restrictions on desires and actions which are proper to (the nature of) self-interested agents. This strongly suggests that by '*physis*' Antiphon means the nature of self-interested agents or individuals. On this interpretation, it would be Antiphon's view that *nomoi* are inimical to the nature of self-interested agents because they impose restrictions which do not allow that nature to be expressed and fulfilled. And since Antiphon nowhere indicates that he thinks that anyone possesses a *physis* other than a self-interested one, I accept Kerferd's suggestion that throughout this fragment Antiphon uses *physis* in the sense of human nature.<sup>27</sup> On this view, Antiphon's claim that in the absence of witnesses a self-interested agent ought to regard the things of nature as overriding means that in these circumstances such an agent ought to regard and act on the desires and aims proper to human nature. The desires and aims of the human nature which each person possesses are directed to the promotion of what is truly advantageous to him.<sup>28</sup> According to Antiphon, the good which *physis* or human nature

aims for is pleasure; and thus what is in an agent's true self-interest is the maximization of his own pleasure (4.8-18 and 5.13-24).<sup>29</sup>

Given this much, Antiphon's argument in passage (4) above can be spelled out as follows: What benefits and does not injure is truly advantageous (4.18-22). Those things (activities) which cause pleasure are truly advantageous, those which cause pain are not (4.8-18 plus 4.18-22). Advantages prescribed by human nature are true advantages: they are free (they do not restrict human nature in its pursuit of pleasure (and life) and hence do not cause pain and injury (and death)) (4.6-8). Advantages prescribed by *nomoi* are not true advantages:<sup>30</sup> they are bonds on human nature and agents (they prohibit the pursuit of pleasure and true advantage and hence cause pain and injury) (4.1-5). (Thus observing *nomoi* is not (always) truly advantageous.)

Of course, bonds on *physis* and the agent will be disadvantageous only if they prevent an agent from successfully pursuing and attaining what is, in fact, advantageous to him and his nature – and not if they prevent him from pursuing what he mistakenly takes to be advantageous. It is, of course, fairly commonly said that it is a mark of human nature to pursue pleasure. But it is also fairly commonly thought that human nature, if left to its own devices, will do so rather indiscriminately; for example, people tend to pursue short-term pleasures at the expense of long-term ones. In effect, this issue is raised by Moulton and Kerferd when they argue that Antiphon's criterion for action is not human nature pure and simple, but what is advantageous to human nature.<sup>31</sup> Their view may be correct, but it does not justify their further implicit claim that this criterion never sanctions disregard for the rights of others and that Antiphon's attack on *nomoi* is thus not a radical one.<sup>32</sup>

Their view rests on Antiphon's claim in passage (4) that life and death are matters of *physis*, life being advantageous, death being disadvantageous (3.25-4.1). They interpret this to mean that *physis* is the source of both advantages and disadvantages; and insofar as it is a source of disadvantages, it cannot be Antiphon's view that an agent should purely and simply act in accord with *physis*. Whether their interpretation is correct will depend on what, if anything, Antiphon's claim implies about the relationship between advantage and the aims of *physis*.

There are three possible ways to characterize this relationship. First, *physis* can be seen as having no overriding aim, but as aiming at and desiring both death (pain, disadvantage) and life (pleasure, advantage). Thus *physis* can be the source of disadvantages and could not be Antiphon's criterion for action. This, however, is not a plausible interpretation. Antiphon claims that *physis* prescribes advantages, specifically the advantages of life and pleasure. Hence, it would not be a mark of human nature to desire and aim for disadvantage; death and pain are, in fact, things which *physis* shuns. Second, *physis* can be seen as that which always aims for pleasure and life, but sometimes mistakenly pursues that which will, in fact, lead to pain and death. This is probably what Moulton and Kerferd have in mind when they point to Antiphon's view that there are advantageous and disadvantageous aspects of nature, that both death (pain) and life (pleasure) are matters of nature. On this interpretation, Antiphon's criterion for action (in appropriate circumstances) would not be *physis*, but rather what is advantageous to *physis* and helps it fulfill



its aims. Third, *physis* can be seen as that which unerringly aims for and pursues pleasure and advantage. If this was Antiphon's view, then his criterion for action (in appropriate circumstances) would be *physis*, pure and simple; and his claim that death and life are matters of *physis* would imply nothing about the aims of human nature, but only mean that life and death are facts about the human condition.

The question, then, is whether Antiphon held the second or third view of *physis*. I do not think the evidence can provide a conclusive answer to this question, Moulton's and Kerferd's argument notwithstanding.<sup>33</sup> However, there is nothing important at stake in this question – and certainly not what Kerferd and Moulton think is at stake. Regardless of which view of *physis* Antiphon held, it would be his position that a self-interested agent (in appropriate circumstances) ought to pursue what is truly advantageous and pleasurable to himself. The kinds of actions such an agent would perform would be the same whether he acts in accord with *physis* or in accord with what is advantageous to *physis*. Kerferd and Moulton miss this point when they argue that Antiphon's attack on *nomoi* is not radical because he recognizes disadvantageous aspects of *physis*. But under no circumstances would Antiphon ever have suggested that it is in an agent's interest to pursue what is, in fact, disadvantageous to himself or to act on impulses which aim at pleasure, but which would, in fact, lead to pain. Whichever way he spelled out the criterion for action of self-interest, he would think it incompatible with acting on such impulses, but compatible with the exercise of self-control and temperance.<sup>34</sup>

Thus, an answer to the question of whether self-interested agents (in appropriate circumstances) ought to act (1) in accord with *physis* or (2) in accord with what is advantageous to *physis* would provide no help in deciding whether Antiphon thought disregard for the interests of others sometimes promotes self-interest. His argument in the second part of this fragment provides no explicit answer to this crucial question. But surely it would be most natural to interpret his argument, like his opening remarks, as implying that acting on the basis of self-interest and *physis* can involve disregard for the interests of others. For example, it might sometimes be in the interests of agents to use their hands in harming others when they can escape notice in doing so. It would not be natural to suppose that the pursuit of one's own pleasure always requires one to regard the interests of others. There is nothing in Antiphon's argument which suggests he had such a view.

After Antiphon completes his argument that (most) *nomoi* place disadvantageous restraints on human nature, it appears as if he might continue by describing more specifically what is advantageous to *physis* (4.22-24).<sup>35</sup> Unfortunately however, there follows a seven-line gap in the papyrus fragment (4.25-31). Where the text picks up again, Antiphon is providing three examples of actions inimical to *physis*, but in accord with *nomoi* (passage (5) above).<sup>36</sup> In each of these examples, a *nomos*-abiding agent puts restraints on his behavior and, as a result, suffers injury at the hands of others. In the first example, an agent suffers loss because he does not take the initiative against a potential aggressor, but defends himself only after he has been attacked (4.32-5.3).<sup>37</sup> Antiphon's point here is, by and large, correct: in general, *nomoi* do not permit an agent to initiate injury against potential injurers or exact 'retribution' in advance of being injured. The *nomos*-abiding agent is thus at

a disadvantage *vis-à-vis* potential aggressors. But further, such an agent can even be at a disadvantage *vis-à-vis* those who have actually injured him, for in some cases *nomoi* do not permit the injured party to obtain retribution. Antiphon illustrates this in his second example: a *nomos*-abiding agent treats his parents well even though they behave badly toward him (5.4-8), and he constantly suffers loss and injury as a result. In general, of course, *nomoi* do not sanction wrongdoing by parents toward their children. But attempts to punish parents for wrongdoing are generally not sanctioned by community customs (*nomoi*) unless the wrongdoing in question is very serious indeed.<sup>38</sup> The kind of situation pictured in Antiphon's second example is quite special; in many cases, *nomoi* do permit an injured party to obtain retribution through courts of law. But even here, the injured party can be at a disadvantage. Antiphon illustrates this point in his third example: a *nomos*-abiding agent at a trial grants to the one who has injured him the opportunity to take an oath, but does not bind himself with an oath (5.8-13). Whether one could take an oath was dependent on whether one was asked to do so by the other party.<sup>39</sup> What Antiphon is picturing is the injured party asking the injurer to take an oath on the expectation that he will speak the truth. The injurer, however, commits perjury and denies that he has done any wrong. And since the injurer has taken an oath, the jury will be disposed to believe him. Thus, the *nomos*-abiding injured party receives additional injury. Antiphon concludes from these examples that anyone would find many of these things inimical to *physis* because they involve more suffering when less is possible, or less pleasure when more is possible, or suffering when no suffering is possible (5.13-24).

An obvious and very striking feature of the three examples is that those acting contrary to *physis* have become victims of the aggression of others by their *nomos*-abiding actions. Antiphon does not illustrate acting contrary to *physis* with any examples of agents who, in obeying *nomoi*, fail to promote their advantage at the expense of others. The crucial question here, of course, is whether Antiphon's choice of examples implies that on his view, it is *only* the type of agent illustrated by the examples who acts contrary to *physis* (true self-interest); for if so, the natural reading of Antiphon's arguments thus far in this fragment would not be the correct one.

The answer to this crucial question emerges in the third and final part of the fragment where Antiphon spells out under what conditions observing *nomoi* would be advantageous:

- 6) If, on the other hand, there were some aid for those submitting to such things (*ta toiauta*) and a penalty for those who do not submit, but oppose, then obeying the laws would be not unbeneficial. But in fact, it appears that justice according to the law is not adequate to help. It first of all allows the sufferer to suffer and the doer to act, and it does not prevent the sufferer from suffering and the doer from acting. When (if) the case is brought up for punishment, it is no more partial to the sufferer than to the doer. For the sufferer needs to persuade the jurors (those administering punishment) that he has suffered and needs the ability to win the case. But the doer can deny these things....  
(5.25-6.33)

Antiphon's argument can be paraphrased in the following way: Observing *nomoi* would be beneficial if *nomoi* provided aid for those who submit to such things (restraints) and loss for those who do not submit (5.25-6.3). But, in fact, justice according to *nomos* does not provide sufficient aid for those who submit to such things (6.3-9). First, it does not prevent the crime from happening (6.9-18). And second, it does not guarantee retribution for the victim of the crime – in the courtroom the victim and aggressor are on equal footing: both are equally able to use persuasion (*peitho*), the victim tries to convince the jurors that he has been wronged, the aggressor tries to convince them that he has not committed the wrong (6.19-7.15). (Thus, obeying *nomoi* is not (always) advantageous to agents.)

This argument makes clear that the natural reading of the earlier parts of the fragment is the correct one. This can be seen by carefully noting what 'such things' (*ta toiauta*) refers to in the claim that obedience to *nomoi* would be beneficial if there is aid for those who submit to *such things*, and loss for those who do not. If 'such things' be taken as referring to the restraints the *nomos*-abiding agents submitted to in the three examples, Antiphon's argument would not make sense. That is, Antiphon would then be arguing that it would be beneficial to obey *nomoi* if there is aid for those who do not, for example, take the initiative against potential aggressors and loss for those who do take the initiative. But clearly this is not what Antiphon means. Loss for those taking the initiative against potential aggressors would not make it beneficial for potential victims of wrongdoing to obey *nomoi*. The potential victim would surely not be concerned about whether there is a loss for those who take the initiative against potential aggressors. Rather, he will be concerned with whether there is a loss for those who commit unprovoked acts of aggression.

Antiphon's argument, then, requires that 'such things' refer to *nomos*-imposed restraints which prevent agents from injuring others: Obeying *nomoi* would be beneficial<sup>40</sup> if there were aid or compensating advantages for those who restrain their behavior by not injuring others as required by *nomoi* and if there were loss (deterrent disadvantages) for those who do not do so. This argument makes it clear that throughout the fragment, *nomos*-imposed restraints inimical to *physis* include those which prevent an agent from disregarding the interests of others.

On Antiphon's view, then, actions contrary to *physis* which result from submitting to the restraints of *nomoi* are performed by two different kinds of agents: (1) those who fail to pursue their advantage at the expense of others and (2) those who are victimized by the aggression of others.<sup>41</sup>

Antiphon's interest in these two types of agents is prompted by the fact that he is attacking the proponents of the view that *nomoi* are beneficial. First, these theorists argued that observing *nomoi* is beneficial. Antiphon counters that *nomoi* put disadvantageous restraints on agents in their pursuit of gain, a pursuit which sometimes calls for disregarding the rights of others. And second, these theorists argued that it is beneficial for men to adopt *nomoi* in order to avoid being injured at the hands of others. Antiphon counters that *nomoi* do not prevent injury because it is not always beneficial for agents of the first type to observe *nomoi*. In order for these theorists to defend their views against Antiphon's objections, they would have

to show that observing *nomoi* is always beneficial for both types of agents, but particularly for agents of the first type – for if it is not always beneficial for them, then *nomoi* would not prevent injury and always be beneficial for the second type of agent since such agents will continue to be victims of the aggression of others.

Antiphon does, in fact, provide these theorists with an argument which would justify their views, for he spells out under what conditions it would be beneficial for both kinds of agents to observe *nomoi*. From the perspective of *nomos*-abiding agents (such as the ones in Antiphon's examples), if *nomoi* prevented wrongdoing or, alternatively, guaranteed retribution, it would be beneficial for such agents to observe *nomoi* on grounds that they would never suffer loss by the illegal or immoral acts of others. From the perspective of non-*nomoi*-abiding agents (those willing to disregard the rights of others in pursuit of their own advantage), if *nomoi* prevented wrongdoing or guaranteed retribution, then such agents would either not be able to do wrong or would suffer loss as a result. Thus it would not be in their self-interest to disregard the rights of others. (Antiphon here excludes the possibility of agents escaping notice in wrongdoing, for otherwise there would still be circumstances under which it would be advantageous to disregard the rights of others.) And indeed, if *nomoi* guaranteed the punishment of wrongdoers, they would actually prevent crime: no rational self-interested agent would attempt to injure others – on the assumption that the loss he would suffer from punishment would always outweigh the gain from transgressing *nomoi*. But, of course, as Antiphon adds, the conditions which would have to be met for *nomoi* to prevent injury and always be beneficial for agents to observe do not, in fact, obtain.

A number of commentators have misunderstood the import of Antiphon's argument. Barnes, for example, suggests that Antiphon might merely be making the sociological, factual statement that the legal system with which he is familiar functions poorly, a fact which leads Antiphon to conclude that (only) in this and similar communities *nomoi* do not adequately prevent injury and benefit those who abide by the law.<sup>42</sup> Moulton argues that the aspect of the legal system which Antiphon finds the most fault with is "the persuasion (*peitho*) of rhetoric in the law-courts" by which injurers convince jurors that they have done no wrong; and he adds that Antiphon actually finds this use of rhetoric regrettable because his sympathies lie with the victims of aggression.<sup>43</sup> Where these commentators go wrong is in thinking that Antiphon only requires deficient legal systems to function *better* in order for agents to find obeying *nomoi* beneficial. Their interpretation misses Antiphon's point and does injustice to him as a theoretician. He needs to argue and does argue that legal systems would have to function *perfectly* and *guarantee* loss for wrongdoing. The fact that legal systems do not function in this way is not a regrettable fact of this or that community, but a fact of all political communities. Antiphon is only pointing out what one would have to argue for to defend the view that *nomoi* prevent injury and benefit agents who obey them, given that *nomoi* place disadvantageous restraints on agents. Antiphon's point is that this view cannot be defended. His focus is on theoretical issues, not sociological ones.

Moreover, his argument militates against Moulton's view that Antiphon is expressing sympathy for the victim of aggression. But a more decisive consideration is

the fact that Antiphon only claims that observing *nomoi* would be *not unbeneficial* in perfectly functioning legal systems. That Antiphon says 'not unbeneficial', and not 'beneficial', makes the claim quite weak. If he were concerned about and sympathetic to victims of aggression, surely he would say that obeying *nomoi* is 'beneficial'. After all, under perfectly functioning legal systems, no one would be a victim of aggression. Antiphon, however, is in effect pointing out that even under ideal conditions observing *nomoi* would not be in accord with *physis* or *true* self-interest. He might also be thinking that a self-interested agent might be better off living in a community where he can (sometimes) escape notice in acting than living where transgressions against *nomoi* are always punished.

Although Antiphon believes that it is not always in one's self-interest to observe moral requirements, the conflict he sees between morality and self-interest is not as radical and far-reaching as it may appear to be. Admittedly, his focus on *physis* sometimes makes it seem as though he is claiming that self-interested persons are never benefited by *nomoi*. But clearly only an invincible tyrant would be able to act in accord with such a standard. In practice, action in accord with *physis* in circumstances where *nomoi* are not a consideration maximizes the agent's true self-interest, *given the reality of his situation*. That is what Antiphon has in mind, I think, when he concludes from his three examples of *nomos*-abiding agents that anyone would find many of their actions contrary to *physis* because these actions involve more suffering when less is possible. By 'is possible' he means that disobeying *nomoi* will possibly, but not necessarily, be in their interest. For example, one who desires to prevent injury by taking the initiative against a potential aggressor would need to be strong enough or in a powerful enough position to injure the potential aggressor. The same thing applies to an agent who wants to exact retribution on his own for injuries received.

Antiphon's position represents no radical or wholesale denial of the benefits of *nomoi* from the point of view of self-interest. A *nomos* is inimical to *physis* merely by virtue of the fact that there *can* be a situation in which observing that *nomos* is not beneficial to the agent – and not because observing it would necessarily not be beneficial to the agent in cases where he can escape notice in disregarding it. In point of fact, most men do not often find themselves in a powerful enough position to prevent injury and exact retribution by their own efforts.<sup>44</sup> Thus, it is in their interest to adopt *nomoi* and ensure that they are enforced, just as Protagoras argued. And it seems that Antiphon agrees with Protagoras on this point, for he argues that if the legal system would guarantee the punishment of all those who transgress *nomoi*, then no one would be injured at the hands of others.<sup>45</sup> This argument strongly endorses the view that actions in accord with *nomoi* benefit the *recipients* of those actions.<sup>46</sup> Given this, it is in each person's interest that *nomoi* be observed by the other members of his community.

If Antiphon sees *nomoi* as necessary and beneficial for each person as a recipient, then his view of the conflict between moral requirements and self-interest will seem less radical and anarchistic. Even though there will, on his view, be situations in which it is beneficial for agents to disregard *nomoi* and the rights of others, the occasions on which agents can actually escape notice are relatively infrequent. And

indeed, it would be in the interest of each person to make it difficult for others to escape notice in transgressing *nomoi*. Furthermore, Antiphon would likely have thought that a self-interested agent needs to exercise extreme caution when attempting to act in secret and ought not to spend his life maximizing the number of times he can do so. And finally, as we have already seen, Antiphon's notion of self-interest is not incompatible with the prudential virtues of temperance and self-control.

In conclusion, Antiphon's arguments in this fragment are generally concise, philosophical, and arguably correct.<sup>47</sup> He shows that he is quite aware of what is involved in the escaping-notice problem, how the prescriptions of *nomima kai dikaia* conflict with self-interest, and what conditions would have to exist for *nomima kai dikaia* to be compatible with self-interest. He presents a perceptive critique of what Glaucon sees as traditional (Protagorean) defenses of justice. In analyzing this fragment, I have assumed, without argument, that Antiphon is speaking in his own person. But given that nothing in the fragment has been found which suggests that he is merely discussing the views of others, there is now strong (albeit not conclusive) reason to believe that he is presenting his own views and that he himself held the view that moral requirements conflict with self-interest. However, the question of whether he adopted self-interest as his criterion for action is a more complicated issue insofar as the fragment contains no claim to that effect. But despite this, there is fairly strong reason to assign him this belief because he so vigorously attacks *nomoi* from the perspective of self-interest and sees self-interest in terms of *physis* and truth.<sup>48</sup>

Fr. 44, like fr. 44A, raises the issue of the relationship of morality to what is advantageous; but it does so in a way that makes it necessary to confront directly the question of what criterion for action Antiphon himself adopted. The following is a translation of the complete text.

...When justice seems good (?), bearing true witness against one another is thought to be just and no less useful for the pursuits of men. However, the one doing this will not be just if (reading 'eiper') justice is not to commit an injustice against anyone who has not first committed an injustice (against you). For it is necessary that the one bearing witness, even if he bears true witness, nevertheless in some way commits an injustice against another; and at the same time he would be open to being wronged later on because of his testimony insofar as the one who has been testified against is found guilty because of the testimony in question and loses either possessions or his life through the agency of the man he never wronged. In this way, he (the one who gave testimony) wrongs the man he testifies against because he wrongs someone who has not wronged him; and he himself is wronged by the man he testified against because he is hated by him for bearing true witness. Not only is he wronged by the hate, but also because it will be necessary for him during his entire life to be on guard against the man he testified against; for his enemy is such that he will speak or do whatever evil he can against him. Indeed, these seem to be no small injustices, neither those which he suffers nor those which he commits. For it is not possible both for these things to be just and for not committing or suffering an injustice to be just. But it is

necessary that only one of these alternatives be just or both be unjust. It appears that the administration of law and justice and arbitration with a view to a final verdict are all contrary to justice; for they involve aiding some and harming others. In this process, those who are benefited are not wronged; but those who are harmed are wronged....

There are three accounts of justice offered in this fragment:

- I. justice is bearing true witness against one another (I.3-6)<sup>49</sup>
- II. justice is not committing an injustice (*adikein*) unless in retaliation for a previously suffered injustice (I.12-15)
- III. justice is not committing or suffering an injustice (II.18-21).

The third conception of justice (justice III) has been a source of much controversy among scholars. Some of them do not think it is an integral part of Antiphon's discussion and have sometimes actually suggested that there is something wrong with the text of the fragment where this definition of justice appears.<sup>50</sup> Those commentators who do not find anything problematic about the presence of justice (III) in the text most often argue that justice (III) was Antiphon's ideal of justice.<sup>51</sup> In what follows, I argue that this conception of justice is integral to the text of this fragment, but I do so without appealing to any specific interpretation of Antiphon's overall moral theory. After that, I take up the question of whether Antiphon saw justice (III) as a principle on which one ought to act.

In laying out the three notions of justice, he has two separate, but related concerns. First, he is interested in demonstrating that these accounts are inconsistent with each other and that justice (II) is, in fact, an incoherent notion; and second, he wants to show that justice (I) and (II) involve performing actions which are not advantageous. In both cases, justice (III) is an integral part of his analysis.

In addressing his first concern, he begins by showing that justice (I) is inconsistent with justice (II) as follows: Assume X has committed an injustice against Y. Y prosecutes X, and Z bears true witness against X on Y's behalf. Z's action is just according to justice (I), but unjust according to justice (II) because he commits an injustice against X without having been previously treated unjustly by him.

In point of fact however, actions in accord with justice (I) and (II) are not obviously inconsistent, for it would have to be shown that Z's action constitutes an injustice against X according to justice (II). On the face of it, this is a strange view: Z's action would not ordinarily be thought unjust according to justice (II) or any conception of justice. To see why Antiphon is claiming that justice (I) and (II) are inconsistent with each other, it is necessary to take note of a striking anomaly in justice (II); to wit, this conception of justice involves the view that justice consists of committing injustices (*adikein*) in certain circumstances, that is, in circumstances where one has previously suffered an injustice. If one symbolizes justice as 'P' and injustice as 'not P', justice (II) would read as follows: Some P is not P. This is clearly incoherent, as Antiphon points out later on. But at this point in the text, he uses justice (II) as a meaningful definition of justice. It is possible for him to do this only because 'injustice' in the defining part of the definition (the *definiens*) does not mean the opposite of 'justice', the term which is to be defined (the *definiendum*). 'Injustice' in the *definiens* really mean 'injury' and could not mean any-

thing else.<sup>52</sup> Justice (II), then, is to be understood as follows: justice is not to injure (*adikein*) anyone unless in retaliation for a previously suffered injury. On this interpretation, justice (I) and (II) are patently inconsistent: Z's actions are unjust according to justice (II) because he is injuring X, a person at whose hands he has not suffered a previous injury. In bearing true witness, he will cause X to lose his possessions or even his life (I.16-19 and I.23-28).

According to Antiphon, Z not only commits an injustice (injury) against X according to justice (II), but also suffers injustice (injury) because he will be hated by X and be faced with the prospect of future retaliation (I.35-II.12). He then remarks that these are no small injustices which Z commits and suffers (II.12-17). Here Antiphon points to the incoherence of justice (II); for although the injustice Z commits *is* an injustice (he is not retaliating for a previously suffered injustice), the injustice he suffers *is not* unjust, for the injustice in question is just or the product of a just action (X is retaliating for a previously suffered injustice). Therefore, some acts of injustice are just.<sup>53</sup> Antiphon then goes on to say, in effect, that it is not possible that the injustices X (or anyone else) commits and suffers be both just and unjust (II.18-21). On a coherent notion of justice, the injustices one commits and suffers *are* unjust. Hence, Antiphon amends justice (II) to read: justice is not to commit or suffer an injustice (injury) – and this is precisely justice (III).<sup>54</sup> Antiphon's third notion of justice emerges directly from his analysis of the incoherence of justice (II). And thus it is clear that justice (III) is an integral part of the text of this fragment.

Justice (III) defines injustice in terms of any injury given or received and disallows both initiating and retaliatory acts of injuring.<sup>55</sup> However, the 'superiority' of this conception of justice is rather superficial: since 'injustice' in the *definiens* of justice (II) means injury and does not mean the opposite of 'justice' in the *definiendum*, the definition of justice (II) is not, strictly speaking, incoherent. The advantage of justice (III) over the other conceptions of justice only becomes clear when considered in the light of Antiphon's second concern in this fragment: the issue of the relationship of the three notions of justice to what is beneficial.

At the beginning of the fragment, Antiphon remarks that justice (I) is thought to be beneficial (*chresimon*, useful) for men (I.3-9). Nothing further is said about the beneficial until after the introduction of justice (III), where Antiphon argues that from the perspective of justice (III), lawcourt proceedings are not just because in dispute settlements the winning party is benefited and suffers no injury (injustice) while the losing party does suffer an injury (injustice) (II.25-36). Justice (III) requires actions which benefit (*ophelein*) and do not injure (*blaptein*) the parties involved.<sup>56</sup> On the other hand, justice (I) and (II) sanction actions which injure and do not benefit. Antiphon ultimately rejects the first two notions of justice precisely because they do not (always) benefit all the parties affected by an action. Justice (III) would be superior, then, in the sense that it is the only one of the three conceptions of justice which is satisfactorily related to what is advantageous and beneficial. On this interpretation, justice (III) is once again seen to be necessary and integral to the text of the fragment.



Given that justice (III) is an integral part of Antiphon's discussion, the important question to answer now is whether this conception of justice represents, as some have argued, his ideal of justice, or his criterion for action, or a principle compatible with his criterion. Since justice (III) requires that one always regard the rights of others, it could be a principle compatible with his criterion for action only if (1) he adopted a criterion for action other than self-interest *or* (2) he believed and argued that regard for the interests of others is always compatible with the maximization of an agent's self-interest. To determine whether he did either of these two things, it will be necessary to discuss the other fragments, particularly those from *On Concord*.<sup>57</sup>

We have already seen that fr. 44A provides strong initial reason to believe that Antiphon's criterion for action was self-interest. The fragments from *On Concord* confirm this view. For example, in fr. 58 – a particularly important fragment which will be referred to frequently – he argues that agents should avoid indulgence in immediate pleasures because that kind of action will not promote true self-interest. In this fragment he specifically advises agents not to injure their neighbors in hope of gain; such actions will not maximize long-term pleasure because the agent fails to consider the possibility of being injured in return. There is no question here of adopting regard for the rights of others or the requirements of justice as one's criterion for action. It is merely a happy coincidence that morality is (often) compatible with self-interest. In point of fact, many of the fragments from *On Concord* merely consist of advice for best promoting self-interest (esp. frr. 49, 53, 53a, 54, 60, in addition, of course, to fr. 58); and none suggests that Antiphon proposed any other criterion for action.<sup>58</sup> The *On Concord* fragments also show Antiphon to have thought that pleasure is *the* good for persons. Frr. 58, 49, 53, and 53a all concern the issue of promoting self-interest by acting in accord with a correct hedonistic calculus.<sup>59</sup>

If justice (III) is a principle compatible with his criterion for action, Antiphon would have to hold that self-interest never conflicts with regard for the rights of others. What he would have to argue for to support this view can be seen by noting that his characterization of justice (III) in fr. 44 corresponds exactly to his characterization of true advantage in fr. 44A (4.18-22). That is, actions in accord with true advantage and justice (III) benefit (*ophelein*) and do not injure (*blaptein*). Of course, the truly advantageous actions at issue in fr. 44A are those in accord with true self-interest; and as we saw, such actions are not restricted to those in which an agent avoids the loss or diminution of his good, but also include those which involve increasing one's good (even at the expense of others). Thus, it would not be sufficient for Antiphon to argue that those acting in accord with justice (III) never suffer a diminution of their good. He would have to defend the far more difficult position that acting in accord with justice (III) never prevents an agent from increasing his good, never involves his acting contrary to a correct hedonistic calculus – even in circumstances when an agent can escape notice in committing an injustice.

There are two ways a theorist can attempt to defend this position. First, he might argue that acts of benefiting or not injuring others always benefit the agent

because of advantages which are *extrinsic* to these acts. Fr. 58 is the only fragment which could conceivably be construed as containing such an argument. In this fragment Antiphon claims that one would not exercise good sense (*sophronein*) in injuring a neighbor because of the possibility of suffering injury in return. Now if Antiphon believed that injuring a neighbor always results in sufficient retaliatory punishment to offset any advantage or results in destructive fears of such retaliation, then he would be arguing that not injuring others is always advantageous to the agent. The advantages would be extrinsic because they would not result from qualities inherent in these acts.<sup>60</sup> Although Antiphon's argument in this fragment plausibly defends the view that such acts are often disadvantageous to the agent, it seems to me highly unlikely that he thought this kind of argument supports the view that such acts are always disadvantageous.<sup>61</sup> Such a claim would be obviously false on empirical grounds; and indeed, fr. 44A plainly indicates that a person can escape notice in committing injustices or avoid retribution by successfully defending himself in court.

The second way a theorist might argue for justice always being beneficial for the agent is to argue that acts of not injuring others have intrinsic advantages. To defend this view, one needs to argue that acts of justice in themselves promote one's good or secure those things needed to attain it – or at the very least, one needs to argue that acts of injustice in themselves conflict with these aims. Whether Antiphon did or could have argued for this view will depend on his conception of human good.

In fr. 49, Antiphon mentions the following as pleasures or goods for men: the acquisition of a livelihood, health, fame (*doxa*, *eukleia*), good reputation (*to eu akouein*), victories at contests, prizes (*athla*), and honors (*timai*, offices?).<sup>62</sup> In fr. 54, he notes that wealth and possessions are goods, provided men use, rather than hoard them (cf. frr. 53, 53a). Antiphon is, however, generally pessimistic in his views about life and its pleasures. He mentions in fr. 51 that there is much in life to complain about: it is short, petty, feeble, and mixed with great pains (cf. fr. 50). Indeed, the pleasures and goods mentioned in fr. 49 are specifically said to be attained only at the cost of toil and pain. Frr. 60 and 61 may be raising the issue that a person's fortunes are subject to change. Furthermore, men (often) make mistakes in their pursuit of pleasure. In fr. 49, for example, men are said to find the possession of a wife one of the real pleasures of life; but marriages, Antiphon remarks, often fail and, in any case, involve the pain and trouble of taking on the task of securing the reputation, livelihood, and health of a second person. In frr. 53, 53a, and 54, Antiphon points out that men (sometimes) miss the pleasure at hand by hoarding and saving their money as if they were going to have the opportunity of living again. And finally, Antiphon points out that men (sometimes) indulge in immediate pleasures without taking into consideration the long-range consequences of their actions (fr. 58). The need for men to calculate their long-range interests and withstand impulses to indulge in immediate pleasures makes it important that they receive a proper education. As a result of this education, discipline is learned and anarchy is avoided (frr. 60, 61). When an individual masters himself and makes himself orderly (*kosmios*) (frr. 58, 59), then he will be able to promote successfully his self-interest.

Is there, then, anything in Antiphon's conception of human good which would allow him to argue for the view that acts of justice always have intrinsic advantages? The most promising way to defend this view is to propose some condition of the soul or some *inner* state as *the* good for persons and then to argue that when an agent acts unjustly, his action in itself is necessarily inconsistent with the pursuit or attainment of that good – or, conversely, to argue that when an agent acts justly, his action in itself necessarily promotes his inner good. This was the approach employed by Socrates in the *Republic* and, as we shall see, by Democritus. Antiphon, however, does not appear to see human good in terms of a desirable inner state. Most of the goods he mentions are rather traditional: money, honors, reputation, and so forth. Acting immorally in itself would certainly not be inconsistent with the pursuit of these goods. Indeed, it would seem likely that such action would, at least sometimes, be in an agent's interest. The only inner goods which Antiphon discusses are the qualities necessary to attain non-inner goods. For example, one needs self-control (*sophrosyne*) and the ability to overcome oneself to attain such goods as honor, money, and victories in athletic contests. Without these inner qualities, one will have the tendency to indulge in immediate pleasures and fail to act in accord with a correct hedonistic calculus.

However, it is important to note here that the inner qualities needed to attain pleasure are not being said by Antiphon to be goods in themselves, but goods by virtue of their beneficial consequences. In other words, these inner qualities are not *the* overriding good for persons. And thus, contrary to what has sometimes been suggested, Antiphon is no apostle of the inner life. The inner qualities needed to attain Antiphon's non-inner goods are compatible with some injustice and only require an agent to act with self-control and prudence in pursuing them.<sup>63</sup>

The only other way Antiphon could defend the view that acts of justice are intrinsically advantageous would be to argue that acting justly promotes some *non-inner* good. The good in question would have to be one that is so readily available and basic that an agent would never find it helpful to injure another to attain it or obtain more of it. Antiphon would also have to argue that it is not in an agent's interest to pursue anything beyond this basic good.

Some commentators argue that Antiphon's list of physical organs in fr. 44A (2.30-3.15) indicates that he had a reductively biological conception of the human person.<sup>64</sup> Further support for this view can perhaps be found in fr. 44B where Antiphon observes that Greeks and barbarians are similar by nature. He characterizes this similarity in terms of what is essential for survival: both Greeks and barbarians have noses and mouths through which they breathe and hands by means of which they eat (2.24-35). He also notes that the things which are necessary by nature for survival can be procured by all men (2.15-22). On this basis, he might have argued that *the* good for persons is biological survival, and, hence, that the best kind of life is one in which a person leads an ascetic, quietistic existence and avoids being injured. Since those things necessary for biological survival and the natural functioning of physical organs are readily available to all, no agent would find it helpful to act unjustly in procuring them. Acting unjustly would be disadvantageous in itself because it involves the pursuit of apparent goods which require more pain than they are worth.

Of course, no such argument appears in the extant fragments; but in any case, Antiphon would not have presented one. Even the papyrus fragments 44A and 44 indicate that he did not propose the minimal non-inner good of biological survival as the good for persons. In fr. 44A, he argues that an agent best promotes his advantage by obeying *nomoi* in the presence of witnesses because he avoids suffering shame (1.12-20 plus 2.3-9). This implies that a good reputation is a good for persons; and such a good is not a reductively biological one. Antiphon also argues in this fragment that if the laws secure retribution, it would be beneficial to obey them. It is unlikely that Antiphon would have thought retribution in a court of law is a biological good.<sup>65</sup> In fr. 44, he takes it for granted that a guilty party in a court case suffers an injury when he loses the case and is deprived of some of his possessions (I.25-28). Insofar as the punished party is pictured as continuing to live, it must be a good for persons to have money or possessions beyond the minimal level needed to secure biological survival.

Frr. 44 and 44A and the *On Concord* fragments indicate that Antiphon's view of what is good for persons was rather commonplace.<sup>66</sup> Although Antiphon does say in the *On Concord* fragments that the pursuit of such goods (pleasures) as honors, prizes, money, and good reputation involve pain and toil, he gives not the slightest indication that he thinks that these goods should not be pursued or that men would be better off pursuing the pleasures of a quietistic, ascetic existence. And although he does argue that money is not a good unless one makes use of it, no fragment even suggests that it is not a good thing to have a great deal of money to spend.

In short, the fragments indicate that Antiphon did not have a conception of either an inner or non-inner good for persons which would allow him even to attempt to argue for the view that acting justly is advantageous because of benefits intrinsic to such acts. And fr. 58 provides strong evidence that he did not, in fact, argue for this view. In this fragment he merely argues that one should avoid injuring others because of the possibility of suffering retaliation. This is the only extant fragment which *explicitly* discusses the issue of injuring others; and it is surely here that one would expect him to argue that such acts are always intrinsically disadvantageous if he did, in fact, believe this is true. Given, then, that his criterion for action is self-interest and given the absence of substantive arguments to support the position that morality never conflicts with self-interest, it would not have been his view that moral requirements are always rational (from the prudential point of view) or that justice (III) is a principle on which one ought to act.

The fragment in which this conception of justice appears is best understood as another phase in his attack on traditional defenses of *nomoi*. In Socratic fashion, he points out the flaws in various conceptions of justice, showing in particular that justice (I) and (II) are not satisfactorily advantageous. Justice (III), of course, appears to overcome the deficiency of the other two conceptions; but since it is not always compatible with Antiphon's criterion for action, it cannot simply be taken as a straightforward proposal. I would suggest that justice (III) plays the same role in his theory as do the conditions which he says must obtain if obeying *nomoi* is to be advantageous in all circumstances. In laying out those conditions, Antiphon is actually making the point that they cannot be realized in political communities.

Similarly, in proposing justice (III), Antiphon would be making the point that this conception of justice, although apparently advantageous, is, practically speaking, unworkable. After all, justice (III) disallows the punishment of aggressors and thus would not provide an adequate deterrent to crime or allow victims to gain redress. Indeed, it would not even be advantageous for recipients unless the community were crime-free; but such a community cannot exist because regarding the rights of others is not always in an agent's interest. Antiphon's central point in fr. 44 is that moral requirements, no matter how spelled out, will not be satisfactorily advantageous for agents or recipients.

My overall assessment of Antiphon's views in this chapter has two important consequences. First, it shows that Antiphon is presenting his own views in fr. 44A and it provides a plausible explanation of the relationship between that fragment and the fragments from *On Concord*. In general, commentators have argued for one of the following views: (1) Fr. 44A represents a radical attack on *nomoi* and is thus inconsistent with the fragments from *On Concord*; or (2) fr. 44A does not represent a radical attack on *nomoi* and is thus consistent with the *On Concord* fragments. Proponents of the first view exaggerate both the loftiness of moral tone in the *On Concord* fragments and the radical nature or scope of Antiphon's attack on *nomoi* in fr. 44A. Proponents of the second view fail to see that there are radical aspects to Antiphon's attack on *nomoi*. Antiphon does not argue in fr. 44A that agents would, in practice, be better off if they lived without (all or most) *nomoi*, discarded the restraints imposed by the prudential *arete* of self-control, and engaged in rampant immorality; rather, he only argues that it is not always in one's self-interest to observe moral requirements. Of course, his argument is radical inasmuch as self-interest is his criterion for action; but the implications of his attack on *nomoi* are quite limited in scope. Furthermore, his position in fr. 44A is consistent with the *On Concord* fragments; for in the latter, he justifies moral action exclusively on grounds of self-interest and never claims that moral requirements are rational and always ought to be observed.

Second, my overall assessment shows that Antiphon – and any of his contemporaries who shared his views – had a very important role in the development of early Greek moral theory. In pointing out the weaknesses of traditional defenses of *nomoi*, he made it necessary for them to confront the inadequacies of their theories.<sup>67</sup> In general, traditional proponents of *nomoi* had assumed that moral action is beneficial without being aware of the implications of their view. Antiphon drew out these implications and correctly pointed to the substantial philosophical difficulties inherent in them.

Although Antiphon himself did not believe that acting morally is always beneficial to oneself, he did show proponents of *nomoi* how they might go about defending their position. In fr. 44A he argues that transgressing *physis* results in automatic punishment or loss. He thus makes clear to defenders of *nomoi* that if they can show that transgressing *nomoi* involves necessary loss, they will have properly supported their position. The only way to do this successfully, however, is to appeal to some good for persons which is necessarily incompatible with im-

moral action. Here again, Antiphon played an important role. In stark contrast to Protagorean theory, Antiphon focuses attention on the individual acting in accord with rational, self-interested calculation. This shift in focus actually made it possible to argue that it is always in one's self-interest to observe moral requirements. Protagoras could not argue for this view because his theory did not focus on the individual and what is good for persons. On the other hand, Antiphon's views of what is good for persons were too crude and traditional for him to have been able to argue for it, even if he had wanted to. But Antiphon's theory does make clear the crucial role which conceptions of the good play in discussions of whether acting morally is a beneficial and rational thing to do. Proponents of moral requirements as advantageous and rational attempted to meet Antiphon's challenge by appealing to a spiritual or inner good as *the* good for persons. As we shall see in the next chapter, this was precisely the approach adopted by Democritus.<sup>68</sup>

## CHAPTER FOUR

### DEMOCRITUS

Democritus (c. 460-396 B.C.) was a younger contemporary of Protagoras; both were born in Abdera.<sup>1</sup> Although he had encyclopedic interests and was the author of many works, the 298 fragments ascribed to him in Diels-Kranz are at most all that has survived of his writings.<sup>2</sup> Almost all of these fragments concern ethical matters. But despite this, Democritus has generally not been known for his moral theory. He has always, and rightly, been considered an important figure in the history of natural philosophy for his theory of atomism.

Commentators on the ethical fragments have often found them to be of little or no philosophical importance<sup>3</sup> and have sometimes questioned their authenticity. The issue of whether these fragments are authentic is not important in the context of the present study, which is only interested in these fragments insofar as they represent the views of an early Greek moral theorist concerned with the issue of the compatibility of self-interest and morality. Thus, it would make little difference here whether the fragments be attributed to Democritus or one of his contemporaries, although my own view is that they probably should be assigned to Democritus.<sup>4</sup> On the other hand, it is a crucial question in the present context whether the fragments have philosophical importance. It is true, of course, that the ethical fragments are written in a style closer to the philosophically unrigorous fragments of Antiphon's *On Concord* than to those from *On Truth*. But it cannot be concluded from this fact that they are trivial. On the contrary, the fragments strongly imply that Democritus held moral views which he rigorously argued for. They not only reflect the concerns of the other theorists so far discussed in this study, but also mark an important advance.

A brief glance at several of the fragments provides a useful, preliminary indication of both the focus of Democritus' moral theory and the relationship between his views and those of Protagoras and Antiphon. The following fragment, for example, shows that Democritus shared with Protagoras certain beliefs about the value of *nomoi*:

Law (*nomos*) wishes to benefit the life of men. It is able (to do this) whenever men themselves wish to receive benefit. For it shows to men (agents) who obey it, their own particular excellence (*idie arete*).

(fr. 248)

In this fragment Democritus endorses the view that *nomoi* are of benefit to men. Indeed, an harmonious political community provides goods which "no one would be able to enumerate" (fr. 255). *Nomoi* are necessary for harmony in the city (fr. 245); and in fr. 252 he remarks that "the well-run polis is the greatest source of safety and contains all in itself; when this is safe, all is safe, when it is destroyed, all is destroyed." Democritus thus adopts the Protagorean view that *nomoi* are a

necessary condition for political communities and human survival. In addition, he follows Protagoras in linking *nomima kai dikaia* (fr. 174) and thus thinks of *nomoi* in terms of moral requirements.

These views are traditional and Protagorean; but his following remarks suggest that he went well beyond traditional defenses of *nomoi*:

The one employing exhortation and persuasion of reason (*peitho logou*) appears stronger in respect to *arete* than one employing *nomos* and constraint (*ananke*). For it is probable that the one who is prevented from injustice by *nomos* would commit wrong in secret, but it is not likely that the man who is led to what is necessary (*deon*) by persuasion would do anything discordant (*plemmeles*). And thus, a man acting rightly through intelligence (*synesis*) and knowledge becomes at the same time courageous and a man of upright thought.

(fr. 181)

Democritus suggests he has an answer to the escaping-notice problem. There is, he says, some *logos* which will convince men to act morally on all occasions. Further, to act in this way is to act with intelligence (*synesis*), that is, with prudence and practical wisdom.<sup>5</sup> Thus Democritus is claiming that agents have self-interested reasons for acting morally even when they can escape notice in acting. Of course, neither Protagoras nor any other traditional defender of *nomoi* made such a strong claim. And needless to say, Democritus would not have tried to defend this claim on the basis of Protagorean arguments. In this fragment Democritus implicitly acknowledges the validity of Antiphon's critique of Protagorean views. But insofar as he claims that there is some *logos* which will convince agents not to do wrong in secret, he rejects Antiphon's conclusion that agents do not always have reasons to act morally.

Fr. 248 (already quoted) gives some indication of how Democritus went about rejecting Antiphon's conclusion. He remarks that *nomos* shows to agents who obey it their own particular excellence (*arete*).<sup>6</sup> That Democritus is thinking of this good (*arete*) as prudential is made clear by the fact that he mentions it in the context of arguing that observing *nomoi* is beneficial for agents. In obeying *nomoi*, agents are shown (promote) their own good. His argument suggests that he responded to Antiphon's claim that moral requirements ought not always be obeyed by arguing that there is some prudential good for persons which is promoted by acting morally.<sup>7</sup> It appears, then, that the focus of Democritus' moral theory is on the individual and the good for persons. His focus is the same as Antiphon's, but it is a focus which is quite different from Protagoras'.

The fragments and ancient testimony indicate that Democritus saw the good for persons in terms of the attainment of an ideal state or condition. He used a number of different terms to characterize this state. Stobaeus<sup>8</sup> notes that Democritus characterized this state as *eudaimonia*, *euthymia*, *euesto*, *harmonia*, *symmetria*, and *ataraxia*. Diogenes Laertius<sup>9</sup> remarks that Democritus gave many names to *euthymia*, including *euesto*; and Clement<sup>10</sup> notes the same thing, but adds that Democritus also used the word '*athambia*' to designate man's end (*telos*) or ideal state. That



most of these words were used by Democritus is confirmed by the extant fragments. 'Euthymia' (or cognates) is found, for example, in fr. 3, 174, 189, 191, and 286; 'symmetria' in fr. 191; 'euesto' (well-being) in fr. 257; 'eudaimonia' (happiness) in fr. 170 and 171. *Ataraxia* is an Epicurean word, and probably should not be attributed to Democritus; however, *athambia* (imperturbability), a word roughly equivalent to *ataraxia* in meaning, is found in fr. 215 and 216.

Since the emphasis in the extant fragments is on *euthymia*, I shall generally confine my discussion to this term. It is, however, a word which is not easy to translate. Traditionally it has meant cheerfulness and this is perhaps the English word which comes closest to Democritus' meaning. But he packs so much into his notion of *euthymia* that no one-word translation is adequate or particularly helpful. Probably all the terms which Democritus uses for the ideal state refer to different aspects of that state or characterize it from different perspectives.<sup>11</sup> But in any case, all of these terms describe a certain state or condition of the soul (*psyche*).<sup>12</sup>

Fr. 191 provides a convenient and important overview of Democritus' conception of human good:

*Euthymia* arises for men from moderation (*metriotes*) of pleasure and harmoniousness (*symmetria*) of life. Things in excess or deficiency are apt to change and create disturbances (movements) in the soul. But souls moved by great divergences (*diastemata*) are not stable, nor do they have *euthymia*. Accordingly it is necessary to keep one's mind on things possible and find satisfaction in things that are present.... If you no longer desire more [than you have], you cease to suffer in your soul.... Thinking thus, one will expel the not little sources of destruction in life: jealousy, envy, and spite.

This fragment touches on central features of *euthymia*. One of these is the notion that *euthymia* requires moderation of pleasure; and there are two components to this notion. First, moderation of pleasure involves the maintenance of overall pleasure in the soul, that is, a proper balance among the various pleasures one accepts.<sup>13</sup> No pleasure should be admitted into one's soul if it would conflict with one's maintaining a due balance of pleasures (fr. 74). In fr. 72, for example, Democritus remarks that a very strong desire for any one thing blinds the soul to all others, so that the pursuit of any pleasure (or at least the pursuit of certain kinds of pleasure) to the exclusion of others is detrimental to one's well-being. Second, moderation of pleasure involves observing the limits of any given pleasure. These limits are fixed by nature; beyond them lie excess and pain: if anyone exceeds due measure, the most pleasant things become most unpleasant (fr. 233). The two senses of moderation of pleasure are related insofar as the pursuit of any given pleasure beyond its proper limit will be incompatible with maintaining a proper balance of pleasures in one's soul.

If one is to maintain *euthymia*, certain pleasures, according to Democritus, must be pursued with much caution. Among such pleasures are bodily pleasures or pleasures of sensation. In fr. 235 he says,

All who derive their pleasures from the stomach, exceeding what is fitting in eating, drinking, or sexual activity have pleasures that are brief and short-lived; [they have pleasures] only while they are eating and drinking, but pains that

are many. For this desire is always present for the same things, and when people get what they desire, the pleasure passes quickly, and they have nothing good for themselves except a brief enjoyment; and then again the need for the same things returns.

One important question to be asked here is why Democritus thinks those who derive pleasures from the senses exceed what is fitting. 'Exceeding (*hyperballein*) what is fitting' recalls Democritus' claim in fr. 191 that things in excess (*hyperballonta*) create disturbances in the soul. Fr. 235 should be interpreted in light of this claim. Thus, those who derive their pleasures from the senses are those who are constantly confronted by that excess (or deficiency) which causes disturbances in one's soul, for they are constantly desiring more (excess) by virtue of the fact that they are always perceiving themselves to be in a state of deficiency and lack - except for those brief periods when they are actually indulging in pleasures of sensation (or perhaps also for a brief period thereafter). Such persons do not lead lives which are compatible with *euthymia*. Democritus *might* be making the point that such persons eat or drink too much on occasions when they eat or drink, but his major point is that they have souls which are (virtually) never at rest, balanced, or in equilibrium. It is primarily in this sense that he thinks of them as exceeding what is fitting. His argument is directed against those who derive pleasure *exclusively* from sensations.<sup>14</sup> It should be noted that no fragment gives any indication that he thought finding (some) satisfaction in pleasures of sensation is incompatible with the maintenance of *euthymia*.

In addition to pleasures of sensation, pleasures of external goods like wealth or possessions must also be pursued with much caution. In fr. 219, Democritus notes that

striving after possessions/wealth, if not limited by sufficiency, is far more painful than extreme poverty; for greater desires make for greater needs (*endeiai*).

There is, of course, virtually no limit to the amount of wealth a person might desire. If a person puts no limit on this desire, then he will forever feel himself in a state of deficiency and pain. His soul will constantly be in a disturbed state; and he will always be desiring more (excess). His situation would be analogous to that of those who restrict their pleasure to bodily sensations; and he is perhaps worse off because he will not even have brief moments of pleasure and satisfaction. As with sensuous pleasure, neither the desire of unlimited wealth nor the exclusive pursuit of it is compatible with *euthymia*.

This initial discussion makes clear that *euthymia* requires that one be properly disposed to pleasures. Indeed, the relationship between *euthymia* and pleasure is a central component of Democritus' theory of human good. This relationship is a complex one and needs to be spelled out in considerable detail.

In fr. 188 (= fr. 4), Democritus says the following about pleasure:

Pleasure (*terpsis*) or the lack of pleasure is the criterion (*horos*; landmark, sign) for what is advantageous (*symphoron*) and disadvantageous.

In other words, pleasure is the criterion for *euthymia* or the ideal state for man. On the other hand, Democritus prescribes the following in fr. 74:

Accept nothing which is pleasant (*hedu*) unless it is advantageous.

As has often been noted, there is an apparent discrepancy between the two fragments; for if some pleasures are not advantageous (fr. 74), then pleasure cannot be the criterion for advantage (fr. 188). Some commentators have argued that Democritus distinguished between higher and lower pleasures and that he saw the good for persons primarily in terms of higher pleasures.<sup>15</sup> Higher pleasures are intellectual and spiritual pleasures; lower pleasures include bodily pleasures and pleasures derived from external goods. This interpretation provides one way in which the apparent discrepancy in the above two fragments can be reconciled. Higher pleasures alone are the criterion for advantage (fr. 188), while there are lower pleasures which are not (or may not be) advantageous (fr. 74).<sup>16</sup>

Support for this interpretation has been seen in those fragments which are thought to indicate a negative view of so-called lower pleasures. For example, in fr. 40 he remarks that men find happiness (*eudaimonia*) neither through the body nor through possessions (cf. frr. 171, 214, 235). In addition, Democritus claims that things of the soul are superior to the body (e.g., frr. 37, 187, 189); and he sometimes speaks of this superiority in terms of the superiority of the divine over the human (mortal) (e.g., fr. 37; cf. fr. 189).<sup>17</sup> Hence, it might be thought that for Democritus true pleasure, that pleasure which is the criterion for advantage, is exclusively intellectual and spiritual.

This interpretation would make Democritus' theory quite advanced: his conception of the good for persons would be completely internalized; that is, not only would *euthymia* itself be an inner good, but also the pleasures which promote it would be essentially inner, spiritual ones. On this interpretation, bodily and external goods would be valuable only insofar as they make possible the attainment of *euthymia* and the pursuit of, say, intellectual pleasures.

However, I do not think Democritus held any such view.<sup>18</sup> No ancient source attributes this view to him, and the extant fragments hardly even mention intellectual pleasures.<sup>19</sup> More importantly, there are claims in the fragments which indicate that Democritus did not think of intellectual pleasures as the criterion for advantage. To begin with, I would suggest that his notion that *euthymia* is brought about by moderation of pleasure indicates that in large part he saw the proper acceptance of bodily pleasures and pleasures derived from external goods as that what brings *euthymia* about. It is, after all, these pleasures which are normally and rightly thought to require moderation. It would simply not be relevant or appropriate to talk about *euthymia* as a state brought about by moderation of pleasure, if the pleasure in question is intellectual. Intellectual pleasures are such that one does not need to be advised to pursue them moderately except, of course, when one is pursuing them to such an extent that one is neglecting survival needs.<sup>20</sup>

Of course, it might be thought that moderation of pleasure means that one must be moderate when indulging in the lower pleasures in order to make *euthymia* and the successful pursuit of higher pleasures possible. No fragment, however, implies that Democritus held such a view. And there are strong reasons for not attributing this view to him. For one thing, lower pleasures would then be a mere means to other, higher ones. This would be difficult to reconcile with Democritus' obvious interest in lower pleasures as such and with his obvious concern for showing how

they can be maximized. As he says in fr. 211, moderation increases pleasures (see also fr. 233).<sup>21</sup>

Indeed, to attribute to Democritus this view is to miss a prominent feature of his theory. He is emphatic in his belief that all the things in the world are good and that the goods of the world are only turned into evils as a result of an improper disposition to them. In fr. 175 he says:

The gods are the givers of all good things, both in the past and now. They are not, however, the givers of things which are bad, harmful or non-beneficial, either in the past or now, but men fall into these through blindness of mind and lack of sense.

And in fr. 173 he remarks that evil comes out of good if one does not know how to 'guide' and 'drive' correctly. Surely the goods in question would include bodily and external goods, as Democritus makes clear in fr. 77: "Fame and wealth without intelligence are dangerous possessions." This implies, of course, that fame and wealth, if made use of with intelligence, would be goods. The wealth which is at issue in fr. 77 is clearly substantial and well above that level which could be described as 'moderate'.<sup>22</sup> Frr. 229, 279, 280, 285, 286 all assert or imply that at least a moderate amount of wealth is a good for persons.

Democritus' emphatic belief that the things of the world are good strongly suggests that (1) he did not see the goods of the world as a mere means to higher, intellectual pleasures and (2) he saw the good for persons to lie in the proper acceptance of all pleasures and goods without distinction as to whether they are higher or lower ones.<sup>23</sup> It is not certain kinds of pleasures that are to be shunned, but the improper acceptance or pursuit of any given pleasure. For example, excessive eating or exclusive attention to eating would turn the good of eating into an evil. Indeed, it is Democritus' view that any good can be turned into an evil if one's use of it or desire for it is at odds with *euthymia*.

Thus, when he claims in fr. 74 that one should not accept any pleasure which is not advantageous, he is claiming that a person should not accept any given pleasure (1) if it is incompatible with the maintenance of an overall balance of pleasures in his soul, (2) if he already has his fill of that pleasure and further indulgence would involve excess, or (3) if the pursuit of that pleasure would create disturbances in the soul. Accepting or pursuing any given pleasure under any of these conditions would result in more pain than pleasure. On this interpretation, fr. 74 would be entirely consistent with fr. 188 where pleasure is viewed as the criterion for advantage.<sup>24</sup> Those fragments which appear to take a negative view of so-called lower pleasures are best interpreted as a warning that such pleasures are to be pursued with caution if one is to attain *euthymia*. And those fragments which assert the superiority of the soul over the body and external goods should be understood as expressions of the view that what makes for the good life is not bodily or external goods in *themselves*, but a proper pattern of pleasures in the soul, a soul that has a proper disposition to pleasures, and a soul which has properly controlled desires.

Democritus did not completely internalize the good for persons. Although he internalized it to a great extent inasmuch as *euthymia* is an inner good, the properly

accepted pleasures which produce this inner good would be, at least for most men, primarily non-inner ones. In addition, *euthymia* involves the *active*, albeit proper, acceptance of pleasures. As Taylor correctly argues, *euthymia* is not to be understood as mere tranquility or freedom from fear and anxiety.<sup>25</sup> "They are fools," claims Democritus, "who live without enjoyment of life" (fr. 200); "life without festival is like a long road without an inn" (fr. 230).

However, this interpretation of *euthymia* as the active, proper acceptance of pleasures raises the crucial question of whether the good life depends, in any important sense, on the quantity of the particular pleasures one accepts, whether, for example, the good life depends on having more, rather than less pleasure-producing goods like wealth. An answer to this question is crucial for determining Democritus' conception of human good; for if the good life depends in any important sense on the quantity of pleasures properly accepted, one is going to lead a quite different life than one would lead otherwise. However, to answer this question, it will first be necessary to spell out two notions found in Democritus' important sketch of *euthymia* in fr. 191 (quoted above on p. 77): (1) *euthymia* involves attending to and finding satisfaction in things which are possible and (2) *euthymia* involves finding satisfaction with things that are present and at hand. Democritus does not appear to acknowledge the distinction between these two notions; but as we shall see, they do not come to the same thing.

Democritus' first notion that one ought to restrict one's desires to things which are possible is not an expression of the truism that one ought not to pursue things that are impossible to obtain.<sup>26</sup> This point is made clear in fr. 3 where he contrasts things that are possible with (good) fortune (*tyche*, chance) which leads men on to more (*es to pleon*, excess) by (false) seeming. He remarks that one ought to discount or rate low the presence of good fortune and not reach for more than is possible since fullness is safer than "overfullness." In part, Democritus is pointing out that good fortune (abundant wealth, for example) has a tendency to cause one to be overconfident and attempt things beyond one's reach. But more importantly, he is drawing attention to the problematic nature of (good) *tyche*. Whether or not one attains good fortune is a matter of chance and does not, in an important sense, depend on one's own actions. "*Tyche* is a giver of great gifts, but it is unreliable; on the other hand, *physis* is self-sufficient and it thus conquers by its smaller power the greater promise of hope" (fr. 176; cf. fr. 210). "Fools," says Democritus, "are shaped by the gifts of *tyche*..." (fr. 197).

Democritus' position is not that one ought to reject good fortune or that abundant wealth is necessarily incompatible with *euthymia*, but rather that it is incompatible with *euthymia* to pursue good fortune or to rely on retaining it. Attempting to pursue it would involve having great desires, that is, desires for a great amount of external goods (fr. 284, 219). Given the realities of life, the desire for good fortune will more likely than not be frustrated and will create disturbances in one's soul. But the wise man who acts in accord with the first notion of *euthymia* restricts his desires to goods which are normally obtainable by his own efforts and not a matter of chance. Such a man would, for example, desire and pursue the attainment of a 'moderate' amount of wealth (fr. 285).<sup>27</sup>

However, Democritus' second notion, the notion that a man with *euthymia* finds satisfaction in things which are present (fr. 191), would seem to involve a stronger claim. That is, he would seem to be claiming that *euthymia* involves the absence of any desire to increase one's goods (that is, any or all goods which produce pleasures that *can* be components of a proper balance of pleasures in a man with *euthymia*). In fr. 191, he specifically cautions against thinking about things which are envied and admired; rather, one should think of those in distress; for by doing so, one's own condition seems great and enviable. In fr. 224, he argues that the desire for more than one has destroys the good that one has at present. And in fr. 231, he claims that the right-minded man is one who is not grieved by what he does not have, but enjoys what he has (cf. fr. 202). This view of *euthymia* would be most accurately described as contentment: *euthymia* would consist of finding satisfaction in what one has, regardless of what that might be. In such a state one would experience no deficiency or excess; one's soul would be without disturbances or even movements. Democritus seems to think that (virtually) no one needs to desire and pursue more than he has: "The things needed by the body are available to all without toil and trouble; but the things which require toil and trouble and which make life disagreeable are not desired by the body, but by the ill-constitution of the mind" (fr. 223). In other words, the bodily and external goods necessary for a pleasant and good life are (normally) present to everyone. It would seem, then, that *euthymia* is compatible with a minimal level of goods and wealth. Indeed, Democritus suggests that living one's life with only minimal goods is not necessarily to live in a condition of poverty. Whether one lives in poverty or not is, in large part, a product of one's outlook and desires; as he notes in fr. 284, small appetite makes poverty equivalent to wealth. Poverty and wealth are terms for lack and sufficiency (fr. 283); one lives in poverty when one thinks one has insufficient wealth.

The above discussion suggests that there is a tension in Democritus' view of *euthymia*. On the one hand, when *euthymia* is seen as involving satisfaction with things that one has at present, it involves contentment and the complete absence of desire to increase one's goods. A person with this kind of *euthymia* would always experience fullness, regardless of what possessions or level of wealth he happens to have. On the other hand, when *euthymia* is seen in terms of pursuing and finding satisfaction in things which are possible to obtain by one's own efforts, it is compatible with some dissatisfaction with one's current good. And thus on this view, *euthymia* would be (sometimes) compatible with desiring and pursuing an increase of goods. This tension has serious implications for the earlier-posed question of whether the good life ever depends, in any important sense, on the quantity of pleasures one accepts or on the quantity of pleasure-producing goods one has.

The first thing to be noted is that the good life cannot depend solely on the quantity of pleasures since a balance of pleasures in the soul would not necessarily be produced by maximizing the quantity of any particular pleasure or by maximizing the number of one's pleasures. However, quantity of pleasures does affect, to some extent, the degree to which one possesses the good life.

This is best seen by looking again at Democritus' view of wealth. On the one hand, he argues that poverty is compatible with *euthymia* or human good on

grounds that one can find satisfaction in things at hand and that small appetite makes poverty the equivalent of wealth. But on the other hand, he remarks in fr. 291, for example, that it is a mark of a man with *sophrosyne* to bear poverty well. The clear implication of this fragment is that poverty is not a desirable condition to be in although, of course, it is compatible with *euthymia*. And given, as we have seen, that levels of wealth above or perhaps even substantially above the poverty level are compatible with *euthymia*, it would appear that Democritus would agree with the following: X, a man who has *euthymia* and a level of wealth above the level of poverty is objectively better off than Y, a man who has *euthymia* and who lives in poverty. And thus either (1) X has realized a higher degree of *euthymia* (human good) than Y or (2) X and Y possess an equal amount of *euthymia*, but X possesses a greater amount of human good. On the second view, *euthymia* would be a necessary, but not sufficient condition for (maximum) human good. But on either view, the degree to which X and Y possess human good is partly dependent on the quantity of pleasure-producing goods they have.

The upshot of this discussion is that Democritus is committed to the view that those who find the pleasures of wealth and possessions important would ordinarily be objectively better off if they had more wealth than they currently possess provided the possession of it be compatible with *euthymia*. But the fact that Democritus is committed to this view does not mean that he is committed to the view that these people would be subjectively better off if they had more wealth or that they would be better off in any sense if they pursued it. Whether he is committed to this further consequence depends on which view of *euthymia* is adopted. On the view of *euthymia* as complete satisfaction with things one has presently, one would not be subjectively better off with more wealth since one's level of wealth – whatever it may be – should be experienced as fullness. Nor would one be better off in any sense desiring and pursuing more wealth. However, on the view of *euthymia* as satisfaction with things possible to obtain by one's own efforts, people who find the pleasures of wealth important would, at least in some cases, be subjectively better off with more wealth. If *euthymia* is compatible with some dissatisfaction with their current goods, such people would be subjectively better off possessing the increase of goods they desire so long as the pursuit of it is compatible with maintaining *euthymia*. In fr. 243 Democritus endorses the desires and pursuits of these people when he remarks that toil is more pleasant than rest when men attain that for which they labor or know that they will attain it.

In discussing Democritus' conception of the good for persons, I have focused on his attitude toward wealth (possessions) because it is a traditional good which many people pursue and because the way one spells out the relationship between wealth and the good for persons has direct bearing on the question of whether morality and self-interest are compatible. The tension in Democritus' view of wealth is, at bottom, caused by the fact that he did not *completely* internalize man's good: while *euthymia*, the good for persons, is an inner good, the pleasures which bring it about are for most men largely non-inner. That Democritus *largely* internalized man's good marks a significant advance over Antiphon and Protagoras; and thus when viewed from an historical perspective, the kind of tension which exists in

Democritus' view of wealth is readily explicable and understandable. Less understandable, however, is the tension in his notion of *euthymia*; but we can perhaps account for it in the following way: On the one hand, his view of *euthymia* as complete satisfaction would seem to be prompted by (1) his belief that dissatisfaction is at the heart of much individual unhappiness and social unrest and (2) his interest in showing that poverty does not preclude happiness. On the other hand, his view of *euthymia* as compatible with some dissatisfaction would seem to be prompted by his belief that the goods of the world are a good for persons and hence worthwhile pursuing.

My analysis thus far has been concerned with the self-regarding actions an agent must perform if he is to attain *euthymia*. What remains to be done now is (1) to confirm the thesis that on Democritus' view, self-interest is compatible with and promoted by the other-regarding behavior required by morality and (2) to determine how Democritus justified that view.

As for (1), the fragments clearly show that Democritus believed morality and self-interest compatible. In fr. 174, for example, he remarks that

the cheerful man (*euthymos*), impelled to acts that are just and lawful (*dikaia kai nomima*), rejoices day and night and is strong and free from troubles. But the one who is neglectful of justice and does not do what he ought to do, all such things are distressful to him whenever he remembers them, and he is fearful and reproaches himself.

The man with *euthymia*, then, is happy (partly) because he obeys *nomima kai dikaia*; disregard for *nomoi*, on the other hand, leads to pain and, presumably, the loss of *euthymia*. Thus Democritus is claiming not only that moral requirements and self-interest (*euthymia*) are compatible, but also that acting morally is a necessary condition for *euthymia* and happiness.

Further, in fr. 181 (quoted above on p. 76) he argues that men will (likely) act morally – even when they can act in secret – if they have been persuaded by reason (*logos*), that is, if they have knowledge and understanding or intelligence (*synesis*). Conversely, “the cause of wrongdoing (*hamartia*) is ignorance of what is better” (fr. 83).<sup>28</sup> The fragments as a whole emphasize the importance of intelligence and understanding for determining how to maximize one's self-interest. For example, he remarks in fr. 77 that fame and wealth are not safe possessions without intelligence (*synesis*, the same word as used in fr. 181).<sup>29</sup> That is, they are dangerous possessions if one does not have the practical wisdom and prudential good sense to use them properly in promoting self-interest. Thus when Democritus says that one will (likely) act morally when one has knowledge and intelligence (fr. 181), he is claiming that those who know what is in their true self-interest will (likely) act morally even when they can act in secret.

However, it is in fr. 45 where he indicates just how strongly he is committed to the view that moral action is in one's self-interest: “The one who commits an injustice is more unhappy than the one who suffers an injustice.” Democritus claims here that committing an injustice does more harm to one's soul and is more at odds with one's self-interest than suffering an injustice. This claim strongly endorses the



view that acting justly benefits agents. Indeed, Democritus may have been the first to make this claim in Ancient Greece although, of course, he may have been preceded by Socrates. Moreover, given that the question of compatibility of morality and self-interest was such a controversial issue among Democritus' contemporaries, the fact that he makes such a strong claim suggests that he thought he could provide a substantive defense for it.<sup>30</sup>

Scholars generally have not addressed the issue of the compatibility of morality and *euthymia* although Colvin and Irwin have recently given it some attention. Colvin correctly sees that Democritus needs an argument to refute the view that it is beneficial to act unjustly in secret, and he also correctly sees that the best argument would show that a wrongdoer is more harmed than the wronged (fr. 45).<sup>31</sup> However, he finds no evidence of such an argument in the fragments and concludes that Democritus made his claim in fr. 45 without the Socratic elenchus to back it up. Irwin, on the other hand, does think that Democritus presented an argument and that it is very close to the one employed by Socrates; but he adds that Democritus' and Socrates' arguments are open to the same objections.<sup>32</sup> In essence, he thinks Democritus argued in the following way: (1) The best condition of the soul is undisturbed harmony (fr. 191); (2) harmony requires (practical) wisdom to prevent disturbances in the soul (fr. 31); (3) wisdom requires temperance (*sophrosyne*) in order to avoid the distress caused by greedy and intemperate desires; (4) justice and temperance prohibit acting upon greedy and intemperate desires; and thus (5) it is advantageous for agents to observe the requirements of morality.

Irwin is on the right track, I think, in suggesting that Democritus, like Socrates/Plato, attempted to justify acting justly on grounds of the intrinsic benefits of just action, that is, on grounds that acting justly in itself benefits an agent's soul. And it is certainly plausible to hold that Democritus could have argued in a way similar to the one Irwin has suggested. Democritus did believe that one's true interest lies in maintaining a harmonious condition of the soul and that this condition can only be attained by practicing temperance and by placing strict control on one's desires and one's pursuit of pleasure. And it is obvious that in many cases the temperance necessary for *euthymia* will require one to regard the interests of others.

But as Irwin points out, there is an obvious and serious shortcoming in the argument he attributes to Democritus; that is, the argument does not show why the moral *arete* of temperance which prescribes temperate behavior towards others and regard for their interests is always compatible with the prudential *arete* of temperance by which an agent controls his desires in order to pursue successfully his rational aims and attain harmony in his soul. Say, for example, that someone has the rational aim of attending college, an aim that is compatible with *euthymia*. And say further that in attempting to procure the money to attend college, he practices the self-regarding *arete* of temperance so that his desires do not conflict with his pursuit of procuring the money he needs. The argument Irwin attributes to Democritus would not show that this person would necessarily be acting contrary to the self-regarding temperance required for *euthymia* if he stole the money which he needed. This, of course, is the very issue raised by Socrates when he asks Protagoras whether it is possible to exercise (self-regarding) temperance in committing an injustice (*Protago-*

ras 333b-c).<sup>33</sup> On the basis of the argument Irwin attributes to Democritus, Democritus would not be able to provide a negative answer to Socrates' question. However, if Democritus did use this argument, it would only have been one of the arguments he used. And it seems to me that Irwin is mistaken to model Democritus' defense of acting justly so closely on the one used by Socrates.<sup>34</sup> Democritus' defense is both stronger and more complex than Irwin maintains.

Democritus' strongest argument for the intrinsic benefits of acting justly focuses more on the need to avoid jealousy and envy than on the need to practice temperance. In fr. 245 he argues as follows:

*Nomoi* would not prevent each individual from living according to his own inclination (*exousia*; power, authority) if individuals did not harm each other; for jealousy (*phthonos*) creates the beginning of strife (*stasis*).

I take this fragment to mean that *nomoi* would not be established to prevent men from acting on their own inclination if men were not inclined to harm each other. On Democritus' view then, men harm each other if left to their own devices because they act from reasons of jealousy. *Nomoi* are created and designed to prevent this; in other words, *nomoi* embody prescriptions prohibiting jealous behavior.

Clearly the views of Democritus about the role of *nomoi* differ significantly from those of Protagoras. The latter had argued that justice and *nomoi* are good and necessary insofar as they prevent injury and secure the existence of political communities. Although, of course, Democritus would agree with Protagoras' position, he primarily sees the good of *nomoi* in terms of human psychology and the good for persons (agents). It is this shift in focus which allows Democritus to argue for the view – as Protagoras could not – that agents have sufficient reasons to obey the laws in all circumstances.

The crux of Democritus' argument lies in his appeal to the notion that jealousy is incompatible with *euthymia*. In fr. 88, he remarks that the jealous or envious man grieves (torments) himself as if an enemy. In other words, being jealous of the goods and happiness of others makes one hate oneself and be dissatisfied with one's present goods. Jealousy, as it were, makes one an enemy to oneself. And just as jealousy creates strife in a political community (fr. 245), so it creates strife in one's soul. In fr. 191, Democritus says that if one dwells on goods that are present to oneself, one promotes *euthymia* and expels destructive elements in life like envy, jealousy, and spite. He also makes the point in this fragment that dwelling on the goods of others incites one to act contrary to the laws. Democritus' argument, then, for the view that acting justly in itself benefits agents is as follows:

- (1) *Nomoi* embody prescriptions prohibiting jealous action
- (2) Acting jealously is contrary to one's self-interest
- (3) Therefore, it is disadvantageous for agents to disobey *nomoi* and disregard the interests of others.

Conversely, it will be advantageous for agents to regard moral requirements because such action promotes non-jealous action and satisfaction with oneself and one's condition.

Democritus' argument has considerable strengths, and certainly it is stronger than the one Irwin attributes to him. However, it rests on the assumption that all unjust actions are ultimately motivated by jealousy; and it will be necessary to determine how adequately Democritus could justify this assumption in order to evaluate the effectiveness of his argument.

It seems to me that the only way he could support his assumption would be to argue as follows: (1) All acts of disregarding the rights of others (as those rights are defined by the *nomima kai dikaia*) involve attempts to increase one's goods; (2) one would not attempt to do this unless one were dissatisfied with one's goods; (3) dissatisfaction with one's goods is always motivated, at bottom, by feeling envious and jealous of the goods of others, goods which one does not currently have, but would like to have; and hence (4) all unjust actions are motivated by feelings of jealousy.

There is one notable and striking feature of this argument: It would commit Democritus to the view that acts of pursuing an increase of one's goods are always motivated by jealousy even where such action does not involve committing an injustice. Given that jealousy is contrary to self-interest, it would follow that an agent never has self-interested reasons to desire an increase of goods. This consequence squares with that notion of *euthymia* which counsels complete satisfaction with goods that are present, for in that case an agent never has self-interested reasons to increase his goods. On this view of *euthymia*, it seems plausible to hold that all desire for increasing one's goods is motivated by jealousy.<sup>35</sup> Given this, the above defense of Democritus' assumption works; and he thus has a very strong argument to show that acting unjustly is intrinsically disadvantageous since he establishes a necessary correlation between morality and self-interest.

There are, however, two further problems to be considered. First, although the ultimate success of Democritus' argument depends on how convincingly he could defend the notion that complete satisfaction with goods at hand is the good for persons, he is not in a position to do so; for as we have seen, he has another notion of *euthymia*, one that is compatible with increasing one's goods. On this second notion of *euthymia*, he could no longer argue that *all* pursuit of an increase of goods is necessarily motivated by jealousy, given that jealousy and self-interest (*euthymia*) are incompatible. Rather, he would have to argue that jealousy is the motivating force for those actions which specifically involve increasing one's goods by immoral means. But this would not be a plausible position. To use a previous example, if it is compatible with a certain person's *euthymia* to desire and pursue the goal of bettering himself by attending college, there would be no reason to assert that he would necessarily be acting jealously if he stole the money which he needed for pursuing his goal. Rather, his action could merely be motivated by his desire to better himself – a desire which is compatible with *euthymia*.

The problem is strikingly brought to the fore in fr. 78: "To make money is not without use; but if it comes from wrongdoing, nothing is worse." Here Democritus presupposes that it is sometimes compatible with *euthymia* to better one's condition; but then he cannot show why nothing is worse than wrongdoing or why acts of wrongdoing are necessarily motivated by jealousy. Of course, Democritus might well have mistakenly assumed that anytime someone disregards the interests of

others he is acting with jealousy (or spite) toward the persons he wrongs. Given that it would have been an easy enough assumption to make, it is possible that he did not try to argue for it and did not see that his argument for the compatibility of self-interest and morality is flawed when *euthymia* is seen as being compatible with some pursuit of an increase of goods.

The second problem in Democritus' argument is that certain prescriptions of justice cannot plausibly be said to be prescriptions prohibiting jealous action. For example, in fr. 258-262 Democritus argues that justice requires one to do his best to ensure the punishment of wrongdoers. And in fr. 38, he may be thinking that justice requires one to prevent another from doing a wrong if it is possible to do so. These requirements have nothing to do with matters of jealousy, nor would disregard of them ordinarily be motivated by feelings of jealousy. Thus Democritus could not argue that observing these requirements benefits agents because it is not advantageous to act on feelings of jealousy. He could, however, readily defend them on the basis of Protagorean arguments. Maintaining a well-functioning political community requires that wrongdoers be punished or 're-educated'; and in a well-run state, the person who acts in accord with these requirements can reasonably expect his actions to be reciprocated when he himself has been wronged by someone. But, of course, Protagoras could not justify the claim that it is never in one's interest to disregard these requirements – and neither could Democritus, given what we have seen of his views thus far.

However, this second problem in Democritus' argument is not serious insofar as the problem concerns relatively few requirements of justice. On the other hand, it is a serious problem that his argument is not very effective when *euthymia* is viewed as satisfaction with and pursuit of goods which are obtainable by one's own efforts. The problem is particularly serious since the pursuit of wealth is not necessarily incompatible with *euthymia* and it is not Democritus' view that wealth is a good only insofar as it makes possible the pursuit of intellectual, higher pleasures. Much wrongdoing is committed in pursuing external goods like wealth. What Democritus clearly needs is an argument to support the view that acting justly in itself necessarily promotes *euthymia* – when *euthymia* is viewed as a state which can be compatible with some dissatisfaction with one's goods. In other words, he needs an argument to show that it is intrinsically disadvantageous for an agent to increase his goods by unjust means, even though increasing one's goods by just means can be in an agent's interest.

Although I do not believe Democritus could provide such an argument, he does restrict significantly the circumstances in which it would be in an agent's interest to act unjustly. He does this by putting strict restrictions on the conditions under which it would be compatible with *euthymia* to desire and pursue an increase of goods. To begin with, *euthymia* requires that one desire and pursue only those goods which are possible to obtain by one's own efforts; it would create disadvantageous disturbances in the soul to desire things which one does not have reasonable expectation of attaining on one's own. As Democritus notes in fr. 243, toil is pleasant (only) when men attain or know that they will attain that for which they labor. Furthermore, *euthymia* requires that a person's desires not blind his soul to other

goods and that the attainment of his desires be compatible with the maintenance of overall pleasure in his soul. And finally, desire cannot be motivated by jealousy: the presence of jealousy indicates that a person desires something primarily because he perceives that someone else has a good which he does not have, and not because he has carefully considered whether it would really be in his own interest to possess that good.

In many circumstances, then, it will not be advantageous for a person to seek an increase of goods; but clearly there would still be occasions on which it would be beneficial. And thus it might well be that stealing, for example, would be in person's interest if he can act in accord with all the requirements of *euthymia*, maintaining a balance of pleasures in his soul and so forth, and if he can expect to escape notice in acting.<sup>36</sup>

There are two ways Democritus could attempt to overcome this deficiency in his theory. First, he could try to argue that acting unjustly is always disadvantageous for agents because of disadvantages which are *extrinsic* to such action. He does seem to argue for this view in fr. 215: "The reward of justice is confidence of mind and imperturbability (*athambia*), but the result of injustice is fear of disaster." And in fr. 174, he claims that the *euthymos* man who obeys the *nomima kai dikaia* is free from worry, but that those who disregard justice live in fear. Such fear, of course, would create disadvantageous disturbances in the soul; and hence acting unjustly would not be in an agent's interest. This argument has some force; but it is not strong enough to show that it would never be in an agent's interest to act unjustly: it is empirically implausible that every agent would suffer from fear as a result of every immoral act he commits. In any case, even though Democritus does appear to employ this argument, he did not consider it an important one; for he expressly states in fr. 41 that one should not refrain from wrongdoing because of fear.<sup>37</sup>

The second way Democritus could attempt to overcome the deficiency in his defense of the compatibility of morality and a person's good would be to try to argue that promoting the good of others is an *end* which is a component of one's own good. Thus far I have only discussed the compatibility of morality and a person's good in terms of moral action benefiting agents because such action would be an instrumental *means* by which one can further one's own good. Defending the good of moral action in these terms can make no appeal to the notion that altruistic action or the promotion of the good of others *for its own sake* is a good for persons (agents).<sup>38</sup> If Democritus did, in fact, appeal to this notion, he would be, as far as I can tell, the first Greek moral theorist to do so. According to Irwin, this notion is found in Plato and Aristotle.<sup>39</sup>

There is some indication in the fragments that Democritus might actually have appealed to this notion. I would call attention here to the fact that Democritus speaks approvingly of the following three kinds of action: (1) showing generosity without expecting (any?) return (fr. 96); (2) having pity for those who suffer misfortune or who are worse off than oneself (fr. 255, 107a); and (3) giving aid, if one is wealthy and powerful, to the people in one's political community (fr. 255; cf. fr. 282). It is possible, of course, that he defended the action in (3) as being in

accord with self-interest on grounds that such action secures social peace and harmony. It is also possible that he defended the actions in (2) and *perhaps* (1) as being in accord with self-interest on grounds of reciprocity: Life is such that good fortune is fleeting (fr. 285); and so when someone has good fortune, he ought to help others when possible and reasonable to do so because it is quite possible that at some time in the future he himself might need such help. If Democritus did, in fact, argue in this way in defense of these actions, his arguments would have been quite weak.

It seems to me, however, that his approval of these actions could be better accounted for on grounds that he held the view that promoting the good of others is a component of one's own good. If he held such a view and if he could successfully defend it, he would be able to show that agents have self-regarding reasons not only to perform these actions, but also to regard always the interests of others.

Although I do think the fragments provide *some* indication that Democritus held the view that altruism is a component of one's good, it is not clear that he actually argued for it. On the other hand, the fragments do supply the raw material out of which an argument can be constructed. His probable approach would have been to argue that altruism is a necessary consequence of having *euthymia*; and his argument, roughly speaking, would have been as follows:<sup>40</sup> The attainment of *euthymia* is the good for persons. The attainment of this requires, among other things, the knowledge that life is beset with problems and that good fortune cannot be pursued or relied upon (fr. 176, 285). This knowledge comes from observing one's own life and the lives of others and involves recognition of the fact that misfortunes are common to all human beings (fr. 293). Recognition of this fact establishes for the man with *euthymia* a bond between himself and others. When the *euthymos* man sees the misfortunes of others, he not only mourns for and pities his own (actual and potential) misfortunes, but also mourns for and pities the misfortunes of others because he recognizes that men have misfortunes in common: "It is proper, since we are human beings, not to laugh at the misfortunes of others, but to mourn" (fr. 107a; cf. fr. 293).<sup>41</sup> The *euthymos* man expresses this pity for others by promoting their good (as implied by fr. 96, 255, 282). Thus, altruism is a component of one's own good because it is a consequence of having *euthymia*.

However interesting this argument may be, it is, at bottom, unsuccessful; for it illegitimately moves from the fact that the man with *euthymia* sees misfortune as the common lot of humanity to the claim that the man with *euthymia* desires to benefit others. The fact that this argument is not successful is not surprising: it is extremely difficult to provide compelling reasons to pursue altruism as a part of one's own good. If Democritus did hold this view, it is far from certain that he would have argued for it; and I think it unlikely that he would actually have laid out an argument as elaborate as the one I suggested. But even granting that he argued rigorously for the view in question, it is virtually certain that he would not have been able to argue successfully for it. And thus, he would still be without a conclusive argument to demonstrate that acting morally is congruent with an agent's good or *euthymia*, when *euthymia* is understood as satisfaction with goods obtainable by one's own efforts. And as far as I can tell, there are no further claims or

arguments in the fragments which give any indication that he had such a conclusive argument.

Although in the course of my discussion I have been insistent in pointing out the weaknesses in Democritus' defense of the compatibility of morality and self-interest, these weaknesses should not be allowed to obscure the strength of that defense. The difficulty of arguing for the view that one's morality promotes one's self-interest should not be underestimated; in fact, it may be impossible to provide a successful argument. Democritus' attempt seems particularly remarkable when viewed from an historical perspective. The evidence suggests that no early Greek moral theorist – except perhaps Socrates – could provide a defense of moral requirements that approached the cogency of the one provided by Democritus. The other defenses which have come down to us are traditional and Protagorean.

As I suggested in the last chapter, a close examination of Antiphon's theory could indicate to a perceptive theorist that there is a crucial relationship between one's conception of the good for persons and one's answer to the question of whether acting morally is compatible with self-interest. Antiphon himself does not appear to have been aware of that relationship. Democritus was, and he may have been the first. But of course, one is not likely to be aware of this relationship unless one is aware of the possibility that the good for persons might be an inner good. Democritus was aware of this possibility. Indeed, he (largely) internalized man's good; and again, he may have been the first Greek moralist to do so. It was precisely because he had a largely inner conception of human good that he was able to provide a strong case for the benefits of acting morally – in particular, that he was able to argue for the view that acting justly benefits agents because of advantages which are intrinsic to such action. He appears to have been the first Greek moral theorist to argue for such a view. In doing so, he anticipated Plato. And as we have seen, he may have even taken groping steps toward the view that promoting the good of others is a component of one's own good.

On the other hand, there are certain important areas in which his moral theory did not mark any advance. There is, for example, no evidence that he took an interest in defining the various moral *aretai*. And insofar as he saw moral requirements in terms of the customs and laws of existing political communities, he grounded the content of morality in the same unsatisfactory way as Protagoras. Not only is the legal conception of morality, in itself, a clearly deficient one, but it also makes even more difficult the task of demonstrating the compatibility of self-interest and moral action. But despite these shortcomings, his accomplishments are remarkable, and his importance in the development of Greek moral theory is indisputable.

My discussion of Democritus' views brings to a fitting close this study of early Greek moral theory. The next advances in the defense of acting morally are those made by Plato. But Plato clearly owed much to the work of his predecessors. Indeed, my analysis of Protagoras, Antiphon, and Democritus has shown that they laid out all the central issues and many of the arguments which are relevant to the question of the relationship between morality and a person's egoistic good.

## NOTES TO CHAPTER ONE

- 1 For an excellent recent study of this aspect of Plato's moral theory, see Terry Irwin, *Plato's Moral Theory: The Early and Middle Dialogues* (Oxford: Clarendon Press, 1977). It should be noted, however, that Irwin does not think Plato defended moral action solely on the basis of self-interest.
- 2 On this view, regarding the interests of others or benefiting them is merely a *means* to promote one's own good; such action is not an end in itself, or one of the ends which might comprise a person's (final) good. Another approach a moral philosopher can use to defend the rationality of moral action is to broaden the scope of what counts as a rational action. That is, he can argue that it is rational to promote ends which are parts of one's own good, even though these ends cannot be justified on egoistic (self-interested) grounds. Thus, if it could be successfully argued that promoting the good of others and being moral are ends which are parts of one's own good, then one would have *self-regarding* reasons to be moral. In this study however, except briefly on pp. 89-90, I shall only be concerned with self-interested reasons to be moral since this was the issue which concerned the theorists I discuss. Thus, when I talk about a person's good, the good for persons, or morality contributing to one's own good, the good in question is to be understood as self-interested good. David Gauthier has edited an anthology of important writings on morality and self-interest (*Morality and Rational Self-Interest* (Englewood Cliffs, N.J.: Prentice-Hall, 1970)).
- 3 Commentators have sometimes discussed Antiphon from the perspective of his views about the relationship between morality and a person's good, but they have almost never analyzed Protagoras and Democritus in that way – and certainly never in depth. For example, there is no mention of Protagoras' and Democritus' views on this issue in W.K.C. Guthrie's standard history of Greek philosophy (*A History of Greek Philosophy*, Vols. II and III (Cambridge: Cambridge Univ. Press, 1965 and 1969)).
- 4 To anticipate my later discussion, the nature of his arguments in defense of the view that moral requirements always *ought* to be obeyed strongly suggests that the 'ought' is to be understood in a prudential, and not a normative sense.
- 5 See n. 2 above. Rawls, for example, adopts an 'alternative' conception of rationality in *A Theory of Justice* (Cambridge, Mass.: Harvard Univ. Press, 1971), p. 421. Irwin (pp. 254-286) suggests that there is also an alternative conception in Plato, but this view is disputable.

## NOTES TO CHAPTER TWO

- 1 For surveys of the ancient testimony about Protagoras' life and writings, see Guthrie, III, 262-269 and Kathleen Freeman, *The Pre-Socratic Philosophers* (Cambridge: Harvard Univ. Press, 1959), pp. 343-348. For a somewhat more interpretive account, see J.S. Morrison, "The Place of Protagoras in Athenian Public Life (460-415 B.C.)," *Classical Quarterly* 35 (1941), 1-16, esp. 1-7 and 14-16. J.A. Davison provides an account which differs from Morrison's in some important respects ("Protagoras, Democritus, and Anaxagoras," *Classical Quarterly*, NS 3 (1953), 33-45, esp. 33-38).
- 2 This point is clearly made by Gregory Vlastos in *Plato: 'Protagoras'*, trans. B. Jowett, rev. M. Ostwald, edited, with an introduction, by G. Vlastos (New York: Bobbs-Merrill, 1956), pp. xvi-xvii.
- 3 A. Levi argues that the *Protagoras* should be accepted as giving a truer account of the historical Protagoras' views than the *Theaetetus* ("The Ethical and Social Thought of Protagoras," *Mind* 49 (1940), 284-302, esp. 285-286). The *Protagoras* pictures Protagoras as alive and active as a Sophist; but in the *Theaetetus*, Protagoras does not appear as a participant, but is called up from Hades to defend his man-measure principle. Plato warns the reader that Protagoras is not present to defend his positions (164e). It is essentially on these grounds that Levi argues for the *Protagoras* being a better source than the *Theaetetus* for the views of the historical Protagoras. Hence, Protagoras' moral theory should not be interpreted as relativistic. Levi's argument has some force, but it is hardly conclusive. In further support of his position, it could be said that the *Theaetetus* makes clear that Plato



has not read or pretends not to have read an explanation of the man-measure principle in the writings of Protagoras.

- 4 Interpretive difficulties make necessary a detailed analysis to determine (1) what views Plato's Protagoras held and (2) which of these views were probably held by the historical Protagoras. His views on the compatibility of morality and self-interest are primarily discussed in Part III of this chapter. Those readers concerned only with that issue can skip pp. 15-22 of Part I and skim the more technical discussions of Protagoras' relativism in Part II.
- 5 The myth which Protagoras recounts extends from 320c to 322d although the myth section of the Great Speech could be seen as extending all the way to 324d insofar as Protagoras remarks at 324d that he is switching from myth to *logos*. However, the section from 322d-324d does not consist of myth, but arguments and conclusions based on the 'truths' embodied in the myth. In referring to the myth section of the Great Speech, I shall mean to include only the section containing the actual myth, that is, the section from 320c to 322d.
- 6 The historical Socrates, however, neither believed the Athenians were wise nor endorsed Athenian democracy. For example, in Xenophon *Memorabilia* III.vii.5-9, Socrates remarks that the men who comprise the democratic assembly (shoemakers, carpenters, farmers, merchants, and so forth) are most stupid and unfit to examine themselves. For an interesting discussion of Socrates' anti-democratic perspectives, see Ellen and Neal Wood, *Class Ideology and Ancient Political Theory: Socrates, Plato, and Aristotle in Social Context* (New York: Oxford Univ. Press, 1978), pp. 81-115. In making Socrates in the *Protagoras* adopt the view that the Athenians are wise, Plato is being ironical: he has Socrates pretend to adopt Protagorean attitudes, or at least attitudes which Plato wants the reader to think are Protagorean. In doing this, Plato makes it possible for Protagoras to deliver the Great Speech without the assumption about the wisdom of the Athenians being challenged. If this assumption had been challenged before the Great Speech, Socrates and Protagoras would have first had to debate this issue. And assuming that Protagoras would not have been able to defend his assumption against Platonic and Socratic attacks, the Great Speech in anything like its present form could not have been delivered since one important assumption in it is that the Athenians are wise.
- 7 Throughout this chapter, when referring to Socrates' objections to the teachability of *arete*, I shall mean not merely the actual objections of Socrates, but also the assumptions which lie behind them.
- 8 The first stage of man should probably not be thought of as consisting of individuals living in total isolation since language and religious worship exist (322a). This point is made by C.C.W. Taylor in *Plato: 'Protagoras'*, trans. with notes by C.C.W. Taylor (Oxford: Clarendon Press, 1976), *ad loc.* 322b1. He suggests that when Protagoras says men at the first stage lived in isolation or in scattered fashion (*sporaden*), he means that they lived in isolated family units. For an opposing view, see Kerferd, *The Sophistic Movement* (Cambridge: Cambridge Univ. Press, 1981), p. 140.
- 9 The role of the gods in the myth is not to be taken literally. As Ellen and Neal Wood write (p. 134), Protagoras "makes use of the gods to symbolize what he clearly regards as very earthly anthropological facts."
- 10 On pp. 8-9, I discuss problems with the use of the word 'all' in the claim that it is necessary that *all* members of a political community share in moral *arete* or the political community could not exist.
- 11 Although traditionally the Greeks did not necessarily call a man *agathos* (good) for reasons of moral excellence (and certainly not exclusively for reasons of moral excellence), it is clear that Protagoras gives '*agathos*' a moral content. According to his view both in this passage and in the Great Speech in general, the possession of moral excellence is at least a necessary condition for being called *agathos*.
- 12 This coordinate expression also appears in the *Theaetetus* at 172a. There is no evidence which makes it certain that the historical Protagoras actually used this particular expression; but if he did, he would probably have been the first Greek to do so. This expression became something of a commonplace among those who were interested in moral and political theory. See, for example, Democritus, fr. 174; Xenophon *Memorabilia* IV.vi.6.
- 13 Michael Gagarin has excellent discussions of the notion of justice (*dike*) in early Greek authors and its connection to the political and economic sphere in "*Dike in the Works and Days*," *Classical Philology* 68 (1973), 81-94 and "*Dike in Archaic Greek Thought*,"

- Classical Philology* 69 (1974), 186-197. In addition, see Erik Havelock, *The Greek Concept of Justice* (Cambridge: Harvard Univ. Press, 1978).
- 14 *Pindari Carmina cum fragmentis*, ed. B. Snell, 3rd ed., II (Leipzig: B.G. Teubner, 1964).
  - 15 *Ad loc.* 322a2-3, p. 88. In general, Taylor's discussions of the problems with Protagoras' necessary-condition argument are excellent. In addition to his comments on the passage cited above, see his discussions *ad loc.* 322d1-5, 323a5-c2, and 328c3-d2 (esp. p. 101). My discussion owes much to his analysis.
  - 16 In the claim that all must be just, 'must' is not normative. In two of the passages in which Protagoras argues for this claim (324d7-325a5 and 326e8-327a2), 'dei' is the word used for 'must'. 'Dei' was often used by the Greeks in a non-normative sense. However, in the third passage which argues for this claim (323a2-3), Protagoras says that it is *prosekon* (fitting) for all to be just. As Taylor points out *ad loc.*, the use of 'prosekon' is more likely than 'dei' to indicate a normative requirement. But although Protagoras may have something like a normative requirement in mind, his argument against Socrates' objections to the teachability of *arete* requires that 'all must be just' be a factual requirement. If it were not a factual requirement, then all citizens would not be qualified to give counsel about public affairs.
  - 17 At least Protagoras could be making this point at 323c. But the whole section from 323a5 to 323c2 is confusing and susceptible to different interpretations. No interpretation removes all the difficulties. See C.C.W. Taylor's discussion *ad loc.* and Kerferd, "Protagoras' Doctrine of Justice," pp.43-44. One possible interpretation of this passage is that the possession of moral *arete* is being said to be a necessary condition for anyone to function in a political community. The argument would go as follows: Any member of a political community would be mad to say that he was completely unjust, for all persons in the community possess justice to some extent or otherwise they could not live in a political community. The reason they could not live in such a community is that they would lack the moral *arete* necessary for living cooperatively with others. It is this interpretation which I adopt at this point in my text.
  - 18 *Ad loc.* 328c3-d2, p. 101.
  - 19 In characterizing the two kinds of *politike techne* as being good at politics and being a good citizen, I am adopting the terminology of J.S. Morrison in "The Place of Protagoras," p. 8.
  - 20 I strongly agree with G.B. Kerferd that Protagoras does not claim in the Great Speech that all men are equally qualified to give advice about public affairs ("Protagoras' Doctrine of Justice and Virtue in the 'Protagoras' of Plato," *Journal of Hellenic Studies* 73 (1953), 42-45, esp. 43). This must be Protagoras' position since not all men possess the same degree of *arete*. This view is clearly implied at 323c and argued for at 326e-327c. (See my brief discussion of these passages on pp. 8-9). The contrary view of Morrison is incorrect ("The Place of Protagoras," pp. 7-8).
  - 21 When Protagoras notes at 326d that the city compels the citizens to rule and be ruled (*archein kai archesthai*) according to the laws, he may have in mind the idea that citizens take turns ruling and being ruled.
  - 22 *Ad loc.* 319a3-7.
  - 23 See p. 25. However, I do not mean to imply that Protagoras did not believe that high moral standards were important for lawgivers or even that he did not believe that notable lawgivers were superior to other citizens in moral excellence. What I am denying is that Protagoras viewed the difference between good lawgivers and ordinary citizens *only* in terms of moral *arete*. Herodotus reports that Deioces rose to power among the Medes *because* he was superior in matters of justice and dispute settlement (I.96-98). But he would not be thinking that skill in dispute settlement only required a superior degree of morality. He actually pictures Deioces as using this skill only for purposes of gaining power.
  - 24 Although democracy is spoken of approvingly in the Great Speech, Protagoras provides no argument to support the view that political communities ought to be run democratically. I strongly agree with Gagarin's view that Protagoras' theory in the Great Speech does not make him a spokesperson for Athenian democracy or commit him to advocating any particular political system ("Plato and Protagoras," *Diss. Yale Univ.* 1968, pp. 40-41).
  - 25 Protagoras' unity theory is not strong enough for Plato, of course; but Plato's objections do not show that Protagoras does not have a tenable theory of the unity of virtues. In particular, it does not count against his having such a theory that he believes, contrary to Plato, that someone may have one virtue, but not another one (329e, 349d).

- 26 See p. 9. He brings out the role of personal responsibility in matters of morality by arguing that although everyone is capable of being moral, whether or not one acts morally is not a matter of nature. On the other hand, he makes the role of personal responsibility somewhat less certain when he argues that natural dispositions account for why people have differing degrees of moral *arete*. Vlastos has an excellent brief discussion of these and related points in *Plato: 'Protagoras'*, pp. li-liii.
- 27 "Protagoras... or Plato? II. The *Protagoras*," *Phronesis* 22 (1977), 103-122.
- 28 "*Arete, Techne*, Democracy and Sophists: *Protagoras* 316b-328d," *Journal of Hellenic Studies* 93 (1973), 3-12.
- 29 "*Arete, Techne*" pp. 10-12.
- 30 "Protagoras... or Plato? II.," pp. 103-106.
- 31 The moral and non-moral conceptions of *arete* in Ancient Greece are discussed thoroughly by A.W.H. Adkins in *Merit and Responsibility: A Study in Greek Values* (Oxford: Clarendon Press, 1960), *passim*.
- 32 In *Politics* I, 1260a24-29, Aristotle confirms the view that Gorgias did not have a universal conception of *arete* applicable to all classes of people.
- 33 This passage is discussed more fully on p. 48 and n. 115 below. In the note, I point out that it is possible to interpret this passage without making any reference to moral issues, but suggest that such an interpretation is less likely to be correct. Another example in the post-Great Speech section of Protagoras' belief that moral requirements ought to be obeyed occurs at 333b-c where he refuses to agree with Socrates' ironical suggestion that one can exercise prudence in committing an injustice. For my discussion of this passage, see p. 44.
- 34 In Part III on pp. 42-49, I argue in support of my view that this was one of Plato's major objections in the post-Great Speech section to Protagorean theory.
- 35 Nothing in the man-measure principle of the *Theaetetus* necessarily conflicts with what I have been arguing. Even if the historical Protagoras was an ethical relativist, as the *Theaetetus* would seem to indicate, this would not mean that he was not seriously interested in moral questions or that he did not claim that moral requirements ought to be obeyed. In fact, Vlastos, who is a strong supporter of the view that Protagoras was a skeptical relativist in matters of perception and morals, calls Protagoras "an exponent of moral enlightenment" (*Plato: 'Protagoras'*, p. liii).
- 36 That is, it is not enough for them to argue that there are *some* distortions and *some* Platonic ideas in the Great Speech.
- 37 For Protagoras' role in setting up the laws at Thurii, see V. Ehrenberg, "The Foundation of Thurii," *American Journal of Philology* 69 (1948), 149-170.
- 38 "Protagoras... or Plato? II.," p. 118, n. 42. See in general his discussions on pp. 114-115 and 118-120.
- 39 According to Maguire, this passage may represent "the only authentic pronouncement of Protagoras in the entire dialogue" ("Protagoras... or Plato? II.," pp. 104-105). He, of course, thinks that this passage gives a strong indication that the content of Protagoras' instruction was non-moral. But besides my argument in the text that this passage gives some indication that his instruction was moral, it should be noted that *euboulia* was not necessarily used by the Greeks to designate a non-moral *arete*. See, for example, *Plato Republic* IV, 428b-d; Aristotle *Nicomachean Ethics* VI, 1142b16-33; cf. Sophocles *Antigone* 1050 and Aristophanes *Birds* 1539.
- 40 As we shall see in detail in Part III, Protagoras' arguments were seriously inadequate to the task of demonstrating the compatibility of morality and self-interest. But the fact that he did provide some arguments is the strongest possible evidence that he did not praise moral behavior because of some ungrounded belief in the propriety of moral action or because of the need to avoid offending popular sentiment.
- 41 See in particular his *Merit and Responsibility*.
- 42 *The Concept of Law* (Oxford: Oxford Univ. Press, 1961), esp. pp. 181-207.
- 43 p. 185.
- 44 p. 186.
- 45 p. 187. In the last sentence of this quote, Hart is quoting David Hume, *Treatise of Human Nature*, III, ii, "Of Justice and Injustice."
- 46 pp. 188-189.
- 47 Hart, of course, has the same problem. But insofar as he recognizes the distinction between law and morality, he can criticize existing legal systems from the moral point of view; but

- Protagoras cannot do this because he does not recognize the distinction – although I do suggest later that Protagoras seems to have, in effect, taken some groping steps toward it. (See p. 37 and n. 82 below.)
- 48 Strictly speaking, his argument only securely grounds the requirement that citizens obey the (minimal) requirements which actually secure a community's survival. But perhaps Protagoras could argue that citizens must also be required to obey more-than-minimal requirements, once they have been imposed, in order to prevent a climate of lawlessness which could eventually lead to the non-observance of even minimal requirements. It would, of course, often be difficult, in practice, to distinguish between levels of requirements; and as I indicated in Part I, Protagoras – understandably enough – does not distinguish between them. But my interest here is in the theoretical problems of Protagoras' moral theory; and for this reason, the distinction always needs to be kept in mind.
  - 49 'All members' should be taken as including all those who enjoy some rights of citizenship. Protagoras would not likely be thinking that slaves, infants, and perhaps other 'peripheral' groups are, strictly speaking, members of the community.
  - 50 The Greeks sometimes used '*adikein*' (to commit an injustice) as a virtual synonym for '*blaptein*' (to injure). For examples of this see Sappho, fr. I.20 and *Republic* 358e, in addition to the passage from the *Protagoras* just cited in the text.
  - 51 It is interesting that the social-contract theory spelled out by Glaucon employs the *a priori* notion of injustice as injury. These injuries (injustices) were no doubt thought of in terms of very basic ones such as physical violence and theft. Thus every legal code must prohibit these basic injuries, regardless of whatever else legal codes may define as an injury.
  - 52 However, I do not mean to imply that if this was Protagoras' view, his grounding for more-than-minimal requirements would be secure. How secure it would be would depend on the strength of the arguments justifying the normative claim in question.
  - 53 For a strong statement about the importance of friendship among citizens, see Aristotle *N.E.* VIII, 1155a22-28.
  - 54 From the moral point of view, Protagoras' normative claims would come to little unless he can provide ground for the claim that communities with a wide-based conception of citizenship are better than those with a narrow-based one. The problem is this: Some communities are such that only a very small group of people have (full) citizenship rights. Now say that in such a community the moral requirements specifically pertaining to the small group are in accord with Protagoras' normative claims, but that the small group oppresses all others in the community. Unless Protagoras has some ground for taking a negative view of such a community, his theory will have morally unacceptable results. In the Great Speech, his picture of the origin of communities implies an initial condition of equality and a wide-based conception of citizenship; and in this speech in general, he is picturing communities where citizenship rights are widely shared.
  - 55 Guthrie discusses problems of translating the Greek text of the man-measure principle (III, 188-192).
  - 56 In my text, when referring to the man-measure principle, I shall be referring to the man-measure principle itself ("man is the measure..."), plus Plato's one-sentence explanation of the principle ("everything is for me..."). Gagarin has conclusively shown that Plato never says in the *Theaetetus* that he read the explanatory sentence in Protagoras' writings – in contrast to the principle itself ("Plato," pp. 127-134). But Plato's explanatory sentence is surely the right interpretation of the principle; that is, 'man' in "man is the measure of all things" was surely understood by Protagoras as each individual man (and perhaps *also* generic man), and not exclusively as generic man. For a brief, compelling discussion of this point, see Guthrie, III, 188-189. He includes relevant bibliographic information.
  - 57 Since Socrates assumes Protagoras' *persona* in the Apology, I shall attribute what is said there directly to Protagoras, as if he were the actual speaker. Scholars are not in agreement about the extent, if any, to which the Apology contains the views of the historical Protagoras. See n. 3 above and Taylor, *ad loc.* 328c3-d2, esp. pp. 100-103.
  - 58 There are essentially two reasons which account for the popularity of this approach: (1) Plato in the *Theaetetus* links Protagoras' epistemology and ethical views, in part, by indicating that Protagoras treated predicates designating perceptible and ethical properties in the same way; and (2) there is a presumption that Protagoras would have had a consistent epistemology applying to both perceptual and ethical judgments.
  - 59 The debate, of course, concerns the issue of whether Protagoras was a non-skeptical relativist (objectivist) or a skeptical relativist (who was perhaps also a subjectivist). I de-

scribe the non-skeptical relativist view of Protagoras in my text. For a select bibliography of those who hold this view of Protagoras, see Vlastos, *Plato: 'Protagoras'*, p. xiii, n. 26a. To this bibliography, add Woodruff, "Protagoras Remeasured," unpublished paper read at the 1980 Regional Workshop in Ancient Philosophy held at The University of Texas at Austin, February, 1980. Interpreters of Protagoras as a skeptical relativist hold that on Protagoras' view, there are no proper non-relative uses of 'true': no one's judgment is true *simpliciter* – what is said to be true is merely true relative to somebody. Proponents of this view include Vlastos (*Plato: 'Protagoras'*) and M.F. Burnyeat ("Protagoras and Self-Refutation in Later Greek Philosophy," *Philosophical Review* 85 (1976), 44-69). Some commentators think that Protagoras held a particular form of skeptical relativism: subjectivism. One way to spell out the subjectivist view is as follows: X correctly judges that the apple tastes sweet to him and Y correctly judges that the apple tastes bitter to him; X and Y are judging different things: each one is judging his own personal mental apple. J. Barnes is a recent proponent of the subjectivist interpretation of Protagoras (*The Pre-Socratic Philosophers* (London: Routledge & Kegan Paul, 1979), II, 243-249).

- 60 In laying out the non-skeptical relativist position, I primarily rely on the views of (1) Cornford, *Plato's Theory of Knowledge* (London: Kegan Paul, Trench, Trubner, 1935), esp. pp. 33-36 and 82-83; (2) Kerferd, "Plato's Account of the Relativism of Protagoras," *Durham University Journal* 42 (1949), 20-26; and (3) Woodruff, "Protagoras Remeasured." I combine the accounts of these commentators and add some details; there are, of course, important differences in their views, but these differences are not relevant in the present context.
- 61 On this point, see Cornford, pp. 34-35.
- 62 The same problem exists in respect to perceptual judgments. The view that all physical objects are objectively hot and cold will not in itself make Protagoras a non-skeptical relativist unless he at least has some way of ruling out the legitimacy of arbitrary claims about the coldness or hotness of objects. That is, he would have to hold that one perceives and claims that something is hot when one objectively feels a certain recognizable way as a result of coming into contact with the object and that it would not be legitimate for this person to feel this way and arbitrarily call the object cold. Thus, on this view, Protagoras would be saying that judgments are true not merely because objective qualities are being picked out, but also because these judgments are in accord with certain criteria by virtue of which perceivers recognize that they are truly perceiving something as hot, rather than cold – or cold, rather than hot. The criteria in question cannot, of course, be a mere matter of opinion for non-skeptical relativists. If Protagoras was a non-skeptical relativist, it would be easy enough for him to assume that perceptual judgments can be characterized in this way. However, this characterization of perceptual judgments is not easily applied to ethical judgments because of the difficulty of establishing objective criteria. For ethical judgments, the criterion would be (complex) moral rules or an overall concept of justice: it would be by virtue of this concept that one would know that one was truly judging a particular action performed in a particular situation to be just, rather than unjust – or unjust, rather than just.
- 63 Moral rules, if they are to be valid, have to spell out under what circumstances a certain type of action is just or unjust. The difficulty, of course, is to spell out these circumstances so as to eliminate valid, conflicting claims about whether an action of a certain kind is moral or immoral in particular circumstances. The need to eliminate conflicting claims makes the formulation of moral rules a very complex undertaking. The non-skeptical relativists in the *Dissoi Logoi* would become skeptics if they made the further claim that no moral rule exists which does not need to be further qualified. On this view, it would be impossible to formulate any universal moral rules which are, strictly speaking, true. Barnes (II, 219-220) suggests that this is the issue the relativists are raising in this section of the *Dissoi Logoi*, but the text gives no clear indication of this.
- 64 On the non-skeptical relativist view, the circumstances of an action do not include the fact that an action is performed in a particular community where people have a certain view about whether the act is just or not, for then it would be true that a certain action could be just in circumstances where the action is performed in one community, but unjust in circumstances where the same action is performed in another community. Including that fact among the circumstances would make ethical judgments skeptical – on the assumption that a community's view of what is just or unjust is a product of public will or opinion.
- 65 That is, the examples are not concerned with such basic moral issues as theft, lying, and committing physical violence against others.

- 66 My interpretation of this passage in Plato is one with which most scholars are in agreement. Cornford, however, strongly dissents (pp. 81-83). According to him, Plato is saying something like the following: 'People who assert that justice has no *physis*-grounded *ousia*, but what seems to a community becomes true at the moment it seems so and for as long as it seems so are those who do not altogether philosophize as Protagoras does, but go *beyond* his position.' They go beyond his position (that is, take a more extreme position) because, according to Cornford, they (unlike Protagoras) actually deny that justice has a *physis*-grounded *ousia*. Admittedly this passage raises some difficult interpretive questions, but Cornford's position does not seem plausible. Those (in the passage) asserting that what seems to a community becomes true at the moment it seems so are asserting the very thing Protagoras asserts in the Apology at 167c: what seems just and honorable to a city is actually just and honorable for it, as long as it thinks it. And as we have seen, this position does involve denying that justice has a *physis*-grounded *ousia* – although there is no indication that Protagoras would have used such terminology. Nor is Kerferd's view correct. He suggests that Plato, in saying that Protagoras' notion of justice has no *physis*-grounded *ousia*, might merely be pointing out that Protagoras' "doctrine that things in themselves are both just and unjust would involve the rejection of an Idea of Justice in the Platonic sense" ("Plato's Account," p. 23). But as I have argued, Protagoras' doctrine involves skepticism.
- 67 According to Vlastos, this is how Protagoras saw his role and the role of any wise man (*Plato: 'Protagoras'*, pp. xxi-xxii).
- 68 This is Cole's view of how Protagoras saw the role of a wise man ("The Relativism of Protagoras," *Yale Classical Studies* 22 (1972), 19-45, esp. 26-28 and 36-38 and "The Apology of Protagoras," *Yale Classical Studies* 19 (1966), 103-118, esp. 109).
- 69 In drawing out pejorative implications, I am not suggesting that Protagoras himself, if he had either one of the two views of the wise man, would have used his role for any sinister purposes. Certainly Vlastos and Cole do not suggest this.
- 70 Protagoras' brief descriptions (in the Apology) of the wise man as doctor and politician (*rhetor*) do not clearly indicate which of the two views of the wise man Protagoras held; indeed, they do not even clearly indicate that he did, in fact, hold either of them. The doctor is said to effect a change in the sick person by making the food which he eats taste sweet, instead of sour (166e-167b). As McDowell notes, the example indicates the problem with sickness is that it involves unpleasant tastes (*Plato: 'Theaetetus'* (Oxford: Clarendon Press, 1973), *ad loc.* 166d1-167d4, p. 166). This example is consonant with the second view of the wise man. The doctor will not be concerned with a person who finds harmful foods enjoyable. A person is healthy because he feels good or thinks he is healthy. The example of the doctor fits Protagoras' general description of a wise man at 166d6-8. However, the role of the politician (167c) is described differently from that of the doctor, as noted by Cole ("Apology," pp. 109-112) and McDowell (*ad loc.* 166d1-167d4). In the doctor example, when someone is sick, an unpleasant taste (that is, what one's food effects) appears and is what one's food effects. The doctor changes the patient's condition so that the same food tastes pleasant to him. If the example of the politician were similar, it would read as follows: when a community is sick, harmful effects (that is, what (certain) prescriptions of justice cause) appear and are for the community what the prescriptions of justice cause. Thus, the role of the politician would be to change the condition of the community so that the same prescriptions of justice seem to it to have beneficial effects. This is not, however, what the politician does in the example: he gets the community to change its prescriptions. Insofar as the community is not aware that there is anything 'wrong' with its current prescriptions, this example is more consonant with the first view of the wise man: the politician has opinions that the community's *nomima kai dikaia* can be improved and he gets the community to believe that his proposed changes will be beneficial. However, this example will only embody the first view of the wise man if it be interpreted as indicating that the city is unhealthy in the eyes of the wise man, and not objectively unhealthy. But some commentators interpret the example as being incompatible with skeptical relativism, and hence incompatible with the first (or second) pejorative view of the wise man (e.g., McDowell, *ad loc.* 166d-167d4; Kerferd, "Plato's Account," pp. 23-25; and Cole(?), "The Apology," pp. 110-111). On this view, the answer to the question of whether a certain prescription of justice is beneficial cannot depend on what a community thinks because a community may be unhealthy. Given the plausibility of these interpretations, the examples do not in themselves answer the question of what view Protagoras had of the wise man.

- 71 "Protagorean Relativism and Physis," *Phronesis* 20 (1975), 209-227, esp. 218.
- 72 I shall not discuss the example of the gardener. For all intents and purposes, it makes the same point as the example of the doctor.
- 73 p. 217. The *hexis* in question cannot be taken as (merely) that of a person's mind. After all, the doctor effects a change by means of drugs – and these drugs are surely not mind-altering ones, even though, of course, if they effect the requisite physical changes, the patient will think he is healthy, rather than sick.
- 74 C.C.W. Taylor has an excellent discussion of this passage (*ad loc.* 334a3-c6). I concur with his conclusions, as well as those of Moser and Kustas in "A Comment on the 'Relativism' of the *Protagoras*," *Phoenix* 20 (1966), 111-115, esp. 114. The article by Moser and Kustas contains a short bibliography of commentators who think this passage reflects skeptical relativism.
- 75 Since Protagoras does not spell out his views on health in this passage, my remarks concerning those views are somewhat speculative, but completely in keeping, it seems to me, with what Protagoras actually does say in the speech.
- 76 The doctor example is obscure and could not represent an exhaustive account of Protagoras' views about doctors or health. Interpretations of the example have tended to be too narrow in their focus. The patient in the example is aware that something is wrong, otherwise he would not think he needed the services of a doctor. But surely he would only think something is wrong because his condition is changed from what it normally is or from what he perceives to be the normal condition of other men. In other words, he cannot be seeking the services of a doctor merely because his food tastes bitter. After all, some food people regularly eat does normally taste bitter. Insofar as the example is saying anything serious about doctors and patients, the important issue will have to be health, and not the bitter (or sweet) taste of food. The fact that a patient finds normally sweet-tasting food tasting bitter is merely a sign that he is ill. Surely Protagoras would agree with this analysis. These points may seem obvious enough; but in point of fact, commentators have tended to focus exclusively on the issue of subjective taste, as if the sick person in the example goes to the doctor, on Protagoras' view, primarily because he wants food to taste sweet. The following example will put issues of health in sharper focus. Say someone cannot digest food, but vomits whenever he tries to eat. He goes to the doctor because he thinks he is ill. The important issue here is whether Protagoras would think that the patient's judgment about being ill is skeptically relative. I do not think he would. For one thing, the judgment is not controversial: everyone everywhere would believe that this person is ill. The fact that all would believe this implies that they have a certain standard of health in mind, a standard according to which the patient in the example could not be called healthy. Certainly Protagoras would think that this standard is relative to men, but that view is a long way off from taking the position that the standard is merely conventional and subject to change.
- 77 The example in the Apology does not raise the issue of community survival. Indeed, it hardly says anything about the role *nomima kai dikaia* play in the life of a political community. The example merely indicates (1) that *nomima kai dikaia* are relative, (2) that they are (or seem) either advantageous or disadvantageous, and (3) that they are (or seem) better if they are (or seem) advantageous (rather than disadvantageous). Clearly the example needs to be filled out (just as the example of the doctor needed to be filled out). In my discussion, I bring in certain very basic facts about political communities and *nomima kai dikaia*. In appealing to these facts in my discussion of the *Theaetetus*, I am not thereby compromising my aim of treating the two dialogues independently of each other – even though, of course, Protagoras laid out these facts in the *Protagoras*.
- 78 That is, all those inhabitants of a city who enjoy some rights of citizenship. See n. 49 above.
- 79 See p. 39. These theorists further held that moral requirements ought to be obeyed. The fact that Protagoras also held this provides strong reason for thinking that he would have thought of *nomima kai dikaia* in terms of being advantageous to each and every citizen – just as these other theorists did. In the *Republic* (338c-339a), Thrasymachus argues that *nomima kai dikaia* are not, in fact, advantageous to all, but serve the interests of the rulers (the stronger). His argument is obviously directed against Protagoras and those who subscribe to similar views; it implies that they thought of *nomima kai dikaia* as being advantageous in the sense that they did not favor the interests of some over others. There would, then, be strong reason for attributing to Protagoras the view that one role of the

wise politician is to design *nomima kai dikaia* which are properly advantageous. Given Protagoras' emphasis on community, he would primarily be thinking of what is advantageous to each citizen in terms of what promotes the *common* good and community goals.

- 80 Such resolutions would work insofar as conflicts thought to be resolved cease to exist. Of course, the problem is that people are likely to know, at least over time, if they are being treated unfairly.
- 81 This concept of advantage would not commit Protagoras to the view that all citizens ought to receive equal benefits from the community. His conception would allow honors and benefits to be distributed in proportion to one's contribution to the common good; and it is surely this kind of distribution that Protagoras would have favored. Given this, he could very well have thought it is in each person's interest to contribute as much as possible to the common good.
- 82 In positing this ideal of advantage, Protagoras is, in effect, taking groping steps towards making the distinction between law and morality.
- 83 Protagoras' theory would seem to imply that the subjectivity of moral judgments extends to the individual, as well as to communities. However, this point is never actually made in the *Theaetetus*. The formula is always 'whatever seems just to a community is just for it as long as it thinks it so,' and never 'whatever seems just to an individual is just for him as long as he thinks it.' This is very curious. *Perhaps* the reason for this is that Protagoras actually counted nothing as a moral judgment except those judgments (requirements) embodied in a community's *nomima kai dikaia*. In other words, perhaps he thought that someone's saying 'X is just for me' would only make sense if he means that X is considered just by the community in which he is a citizen. If this is true, two things would follow. First, the scope of Protagoras' moral subjectivism would be significantly limited. And second, he would once again be seen as someone who saw the individual primarily as a member of a community – for he would actually be denying that personal moral judgments have any meaning (validity).
- 84 See, for example, pp. 9-10.
- 85 It also follows that an agent has sufficient reasons to act morally to the extent necessary for him to function in a political community.
- 86 The reason for this is that the necessary-condition argument emphasizes what is advantageous to the survival of a city (a political community as an entity), and not what is advantageous to (all) its members. In general, Protagoras would not have made a distinction between a city and all the individual citizens who comprise it.
- 87 See pp. 25-26, 35-36, 37.
- 88 In this passage, Antiphon is not talking about justice in general, but a particular prescription of justice: bearing true witness among one another (particularly in a court of law). However, that is no reason to think that he would be implying that it is only this particular prescription which is thought to be beneficial for the pursuits of men, as my analysis in Chapter Three will make clear.
- 89 Thrasymachus also says that Socrates should not characterize justice as *deon* (what is necessary, rightful).
- 90 Not only do the followers of Socrates reflect Protagorean views in defining justice in terms of advantage, but in other ways as well. For example, one of the followers is said to have argued that justice is that which effects friendship in cities (409d).
- 91 Protagoras in the Great Speech or the Apology does not directly mention factional strife, trust, or the ability to live in peace and security.
- 92 For example, Socrates (Xenophon *Memorabilia* IV.iv.15-17) and the Anonymus Iamblichi (7.1-12).
- 93 The Greek reads: *lysitelei gar, oimai, hemin he allelon dikaiosyne kai arete*.
- 94 My analysis of the arguments of Glaucon and Adeimantus draws heavily on the views of Terry Irwin, pp. 184-189. His discussion is excellent.
- 95 See n. 94 above.
- 96 It should be noted that the Greeks never suggested that one had (self-interested) reasons to be just by virtue of the fact that one had agreed to be just; and, in fact, it does not seem possible to show this. Hobbes' attempt, for example, was quite unsuccessful, as David Gauthier convincingly argues in *Practical Reasoning* (Oxford: Oxford Univ. Press, 1963), pp. 186-190.
- 97 There is only one thing said by Protagoras in the Great Speech which would meet Glaucon's challenge; that is, Protagoras' claim that all must be just in a political community, or



- otherwise the community would cease to exist. But if he meant by this that literally everyone must always obey every prescription of justice for a political community to exist, his claim would be patent nonsense. Protagoras could not have meant this. See my previous discussion of the nature of this claim on p. 8.
- 98 Nor, of course, could Protagoras' theory show why it would not be advantageous for someone like a tyrant to commit injustice openly if in a powerful enough position to get away with it. However, the issue of escaping notice and using the ring of Gyges specifically relates to questions of acting morally in a community where all are, more or less, equals; that is, where no one is strong enough to commit injustices openly on a regular basis. The issue of the tyrant was an important one in early Greek ethical theory, but I shall not discuss it since this issue was not raised directly by the three theorists I am analyzing in this study.
  - 99 However, the import of this passage is very, very obscure. See my previous discussion on p. 9 and n. 17 above.
  - 100 The fact that Protagoras in the post-Great Speech section is, as we shall see, quite obviously aware that he cannot show that morality and self-interest are compatible may perhaps be seen as indirect evidence that the historical Protagoras was also aware of this. See n. 116 below.
  - 101 In suggesting that this is one of the central themes, I am, of course, departing significantly from standard interpretations of the *Protagoras*.
  - 102 After the Great Speech, Protagoras matter of factly agrees to add courage and wisdom to his list of *aretai* (330a).
  - 103 For discussions of the unity-of-virtue thesis in the *Protagoras*, see C.C.W. Taylor, *ad loc.* 329d1 and 332c3-9, pp. 129-130 and Vlastos, "The Unity of the Virtues in the *Protagoras*," *Review of Metaphysics* 25 (1972), 415-458, reprinted with emendations and substantial additions in *Platonic Studies* (Princeton: Princeton University Press, 1973), pp. 221-265. Taylor argues (*contra* Vlastos) that Socrates is arguing for a stronger thesis than biconditionality. See also Woodruff, "Socrates on the Parts of Virtue," *Canadian Journal of Philosophy*, Supp. Vol. 2 (1976), 101-116 and Penner, "The Unity of Virtue," *Philosophical Review* 82 (1973), 35-68.
  - 104 My sketch of this argument is taken from Taylor, *ad loc.* 332a4-333b6. However, this sketch shows Socrates arguing for a stronger unity-of-virtue thesis than biconditionality. For a sketch of the argument which shows Socrates only arguing for the biconditionality thesis, see Vlastos, *Platonic Studies*, pp. 241-243.
  - 105 *Ad loc.* 332a4.
  - 106 Socrates, of course, can capitalize on the fact that *sophrosyne* has a wide variety of meanings for the Greeks: good sense, soundness of mind, moderation, temperance, and self-control. It has both moral and non-moral senses. For the different meanings of the word, see C.C.W. Taylor, *ad loc.* 332a7; Adkins, *Merit*, pp. 246-249, where he mentions the passage under discussion; and Helen North, *Sophrosyne*, Cornell Studies in Classical Philology, Vol. 35 (Ithaca: Cornell Univ. Press, 1966), *passim*.
  - 107 "Plato," p. 46. I have added some details to Gagarin's account of the argument.
  - 108 "The Socratic Paradoxes," *Philosophical Review* 73 (1964), 147-164; reprinted with minor revisions in *Socrates: Philosophy in Plato's Early Dialogues* (London: Routledge & Kegan Paul, 1979), pp. 183-194. Santas' article is brief and excellent and my analysis owes much to it. I follow him in naming the two paradoxes 'prudential' and 'moral' respectively.
  - 109 Socrates also argues for the prudential paradox in the *Meno* at 77b-78b.
  - 110 Plato (Socrates) argues for morality being beneficial to the agent in the *Gorgias* and *Republic*. On Santas' view, Plato did not hold or argue that there is a necessary connection between the knowledge of what morality requires and acting morally, but established a necessary connection between morality and knowledge by arguing that acting morally always benefits the agent ("The Socratic Paradoxes," pp. 161-163).
  - 111 For my purposes it will not be necessary or relevant to go into the complex and often-discussed question of whether the phenomenon of weakness of will invalidates the Socratic paradoxes. For a discussion of the weakness-of-will question, with relevant bibliography, see Santas, "Plato's *Protagoras* and Explanations of Weakness," *Philosophical Review* 75 (1966), 3-33; reprinted in *Socrates*, pp. 195-217.
  - 112 For an excellent and detailed treatment of Socrates' argument, see Taylor, *ad loc.* 349e1-350c5.

- 113 The necessary-condition argument is inadequate because it ultimately rests on the premisses that courage is wholly *kalon* (good, noble), that knowledge is *kalon*, and that madness is not *kalon*. The courageous and non-courageous can both perform daring actions; but when daring actions are the result of a certain kind of inspiration or madness, they cannot be called courageous actions because then courage would no longer be wholly *kalon*, but mixed with the shameful element of madness. It is only when daring acts are accompanied by knowledge, a *kalon* thing, can such actions be called courageous. Needless to say, this argument is weak.
- 114 Irwin, for example, believes that Socrates' position in this dialogue is, in fact, that pleasure is *the* good. He argues that Socrates' adoption of hedonism marks an advance over his earlier ethical views (pp. 103-110). For the view that Socrates does not adopt hedonism as his own position in this dialogue, see, for example, Vlastos, "Socrates on Acrasia," *Phoenix* 23 (1969), 71-88, esp. 71-78.
- 115 But why does Protagoras say his reply to Socrates is the safest thing for him to say? I would suggest the following: If he agreed with Socrates that all pleasures promote the good life (and assuming that he would want to retain his belief that morality promotes self-interest), he would be committing himself to the view that all pleasures in all circumstances are compatible with morality – a view that his theory could not defend and one that would probably have seemed to him to be at odds with empirical observation. Thus he thought it would be safest to reply that only those pleasures which are compatible with morality promote one's good – a view reflecting his general belief in the compatibility of morality and self-interest. On the other hand, it is possible to interpret the passage at 351c-d without reference to moral issues. On this view, '*kalon*' would need to be understood in a non-moral sense; and Protagoras would be saying that only those pleasures which are restricted to what is good (*kalon*) for one promote the good life. However, the non-moral interpretation of this passage seems to me less likely to be correct insofar as it does not provide a convincing explanation of why Protagoras would say that his reply to Socrates is safest in light of his past life.
- 116 Protagoras' becoming perturbed at the end of this argument, his statement that he would be ashamed to admit that one can exercise *sophrosyne* in committing an injustice, his insistence that one needs good natural disposition and fit nurture for being courageous, and perhaps his initial refusal to agree to the claim that all pleasures are good are indications that Protagoras recognized that his moral theory could not make the claim that acting morally is necessarily beneficial to agents. Plato gives the reader a noticeably consistent, vivid, and, on occasion, psychologically acute portrait of Protagoras. Plato might be indicating by all of this that the *historical* Protagoras was aware that his theory could not show that acting morally always benefits agents. If so, Plato's portrait would also indicate that this is something which embarrassed Protagoras.
- 117 Protagoras would, of course, have to accept all conceptions of the good beyond the minimal level as legitimate in virtue of his doctrine of relativism.
- 118 Although Protagoras' moral theory allows individuals to pursue their own private conceptions of the good, he himself tended to see the good for persons in terms of participating in community life. Attaining status in the community would ordinarily require one to adopt conceptions of the good which are predominant in one's community.
- 119 By modern standards, there is nothing particularly deficient about the orientation of Protagoras' moral theory. Many modern moral theorists do not tie their theories to conceptions of the good.
- 120 I have already argued that Protagoras' short 'speech' about the good and beneficial at 334a-c is not, contrary to what has often been suggested, an expression of skeptical relativism. See pp. 33-34 and n. 74 above.

## NOTES TO CHAPTER THREE

- 1 The subject matter of the fragments of Antiphon clearly indicates that he was active in the second half of the fifth century B.C. In recounting a number of conversations between Antiphon and Socrates (469-399 B.C.), Xenophon provides incontrovertible evidence that they were contemporaries (*Memorabilia* I.vi). However, evidence is lacking which would allow Antiphon's dates to be fixed exactly (see n. 2 below). Nor is there sufficient evidence, as Carroll Moulton has rightly argued, to justify the claims of those scholars who have

- attempted to assign fairly precise dates to the writings of Antiphon ("Antiphon the Sophist, *On Truth*," *Transactions of the American Philological Association* 103 (1972), 329-366, esp. 350-360).
- 2 Most scholars agree that Antiphon was an Athenian. Dodds is a notable exception ("The Nationality of Antiphon the Sophist," *Classical Review* 68 (1954), 94-95). But see J.S. Morrison's counter arguments in "Socrates and Antiphon," *Classical Review* 69 (1955), 8-12. (See also Morrison, "Xenophon, *Memorabilia* 1.6: The Encounters of Socrates and Antiphon," *Classical Review* 67 (1953), 3-6.) More would be known about the external circumstances of the Sophist's life if he is to be identified with Antiphon the Orator (480-411 B.C.). The latter taught rhetoric, was the author of oratorical exercises, composed speeches for litigants, supported the oligarchic faction in Athens, and was involved in the bloodless oligarchic coup of 411 B.C. for which he was subsequently tried and condemned to death. Thucydides praised him as "one of the ablest Athenians of his time" (VIII.68). The question of whether the two Antiphons are to be identified has been much debated. For an overview of scholarly opinions on the subject, see Guthrie, III, 285-286, 292-294. Guthrie concludes – and I agree with his conclusion – that there is simply not enough evidence to decide this question. This is also the view of Moulton ("Antiphon the Sophist," p. 330, n. 2) and Lesky (*A History of Greek Literature*, trans. J. Willis and C. de Heer, 2nd ed. (London: Methuen, 1966), pp. 353-354). J.S. Morrison, on the other hand, argues strongly for identifying the two Antiphons in "Antiphon," *Proceedings of the Cambridge Philological Society*, NS 7 (1961), 49-59; so does H. Avery, "One Antiphon or Two?" *Hermes* 110 (1982), 145-158. This issue is of no significance in the context of the present study. Even if the two Antiphons are the same person, I do not see how the oratorical writings could, in fact, be used to illuminate the theoretical moral issues raised in the ethical fragments. In my text, I shall simply refer to the author of the ethical fragments as Antiphon; but in doing this I do not mean to imply anything about whether the two Antiphons are or are not to be identified. My interpretation of the ethical fragments is compatible with either view. It seems to me that Guthrie nicely sums up the issue of one or two Antiphons when he says it "is of minor interest for the history of philosophy" (III, 286).
  - 3 The numbers of the Stobaeus fragments in Diels-Kranz are: 49-51, 53, 53a, 54, 57-62.
  - 4 *Commentatio de Antiphonte Sophista Iamblichi auctore* (Kiel, 1889).
  - 5 For example, *Rep.* I, 351d and 352a. In this section of the *Republic*, Plato actually uses the term to draw an analogy between the individual and state (political community).
  - 6 For this view, see: Altheim, "Staat und Individuum bei Antiphon dem Sophisten," *Klio* 20 (1926), 257-269, esp. 268-269; and Regenbogen's review of *Studi sul pensiero antico* in *Gnomon* 16 (1940), 99-100.
  - 7 P. Oxy. 1364 was published in 1915 in Part XI of *Oxyrhynchus Papyri*, ed. B. Grenfell and A. Hunt; and P. Oxy. 1797 was published in 1922 in Part XV of the same work. Antiphon's authorship of the first fragment is certain because three lines from it (1.18-20) correspond exactly to a citation in Harpocration from Antiphon's *On Truth*; and no one has doubted that the second fragment should also be attributed to Antiphon. The two papyrus fragments differ slightly from each other in respect to column width, and they are not written in the same hand. This has led some to think that they come from two different books of *On Truth* (e.g., Diels (Diels-Kranz, II, 353), but the similarity of subject matter between P. Oxy. 1797 and the first section of P. Oxy. 1364 (fr. 44A) would seem to militate against such a view. Up to the time of the discovery of these fragments, it was not known that *On Truth* dealt with ethical matters. The short and insubstantial passages from this work which were quoted in ancient sources concerned such issues as epistemology, cosmology, natural phenomena, biology, and so forth. I do not discuss Antiphon's views on these issues because not enough is known about these views to determine how or whether they are related to his moral theory.
  - 8 This quote is from *On Kinds* [of *Literary Composition*]. See Diels-Kranz, 87.A2.
  - 9 For a succinct and excellent overview of the history of scholarship on Antiphon's moral views, see Havelock, *The Liberal Temper in Greek Politics* (London: Jonathan Cape, 1957), pp. 414-418. See also Guthrie, III, 286-291 and 107-113. Moulton provides a convenient bibliography in which he divides scholars according to whether they give a radical or non-radical (less extreme) interpretation of Antiphon's attitude toward *nomima kai dikaia* in the papyrus fragments ("Antiphon the Sophist," pp. 329-330, n. 1). To Moulton's list of non-radical interpreters, add Trevor Saunders, "Antiphon the Sophist on

- Natural Laws (B44DK)," *Proceedings of the Aristotelian Society*, NS 78 (1977-1978), 215-236.
- 10 For example, Havelock: "the style and substance [of the papyrus fragments]... supply a criterion by which to estimate the genuineness of the Stobaeus excerpts, and make their rejection inevitable" (*The Liberal Temper*, p. 419). Luria thinks that some of the Stobaeus fragments should be assigned to Antiphon the Orator ("Eine politische Schrift des Redners Antiphon aus Rhamnus," *Hermes* 61 (1926), 343-348).
  - 11 For example, Moulton ("Antiphon the Sophist," esp. pp. 340-343). This interpretation has also been suggested by Barnes, II, 213.
  - 12 So Kerferd in "The Moral and Political Doctrines of Antiphon the Sophist. A Reconsideration," *Proceedings of the Cambridge Philological Society*, NS 4 (1956-1957), 26-32. David Furley claims, somewhat misleadingly I think, that he is in agreement with Kerferd ("Antiphon's Case against Justice," in *The Sophists and Their Legacy*, ed. G.B. Kerferd, *Hermes Einzelschriften*, Vol. 44 (Wiesbaden: Franz Steiner Verlag, 1981), pp. 81-91. Much of Furley's analysis of Antiphon is excellent.
  - 13 For example, Moulton ("Antiphon the Sophist," pp. 348-349) and Bignone (*Studi sul pensiero antico* (Naples: Luigi Loffredo, 1938), esp. pp. 108-109). Havelock also shares this view (*The Liberal Temper*, esp. pp. 260-264); but he differs from most other scholars who hold this view insofar as he also believes that Antiphon's rejection of *nomima kai dikaia* was radical. Most scholars who think Antiphon's rejection of them was radical also think he was an immoralist, but not Havelock. He argues that on Antiphon's view, *physis* sanctions mutual non-aggression and that *nomima kai dikaia* 'invite' aggression. (See, in addition, n. 46 below.)
  - 14 The first five and one-half lines of the first column of the fragment are illegible. The definition of justice begins in the middle of the sixth line.
  - 15 Xenophon indicates that Socrates also adopted this conception of justice (*Memorabilia* IV.iv.12-13).
  - 16 This point is nicely brought out by Barnes (II, 211-212). Given the absence of any injunctions, Barnes rightly points out that scholars who do not think Antiphon believed agents should commit immoral action when they can escape notice need not argue that Antiphon is not speaking in his own person in passage (2).
  - 17 I agree with Kerferd that the Greek of 2.23-26 should be read as he rightly thinks the papyrus corrector intended it to be read: *esti de panton heneka touton he skepsis* ("The Moral and Political Doctrines," pp. 28-29). I also agree with Kerferd that the *'touton'* refers back to what Antiphon had previously discussed. But as my analysis will make clear, I do not agree with Kerferd's view that the things discussed in passage (2) represent conflicting theories (held by others), and not Antiphon's own views.
  - 18 Antiphon never spells out exactly what he means by '*physis*'. Some commentators think that on Antiphon's view, self-interested agents ought to follow that which is advantageous to *physis*, and not *physis* as such. Since I do not believe anything hangs on this distinction, I shall for now simply say that on Antiphon's view, self-interest requires observing *physis* when one can escape notice in acting.
  - 19 At first glance, Antiphon's claim might not seem to be altogether true. In cases where *nomoi* and *physis* do not conflict, it will *not* be true that an agent who transgresses *physis* will suffer the same amount of loss whether or not he escapes notice. In these cases, an agent will suffer the loss resulting from violating *physis*, in addition to the loss (punishment or shame) resulting from disregarding the law. However, Antiphon is thinking of the issue of loss from violating *physis* completely independently of the issue of whether, in practice, *physis* does or does not in any given situation conflict with *nomos* – just as in talking about *nomoi*, he was, as we have seen, thinking of *nomoi* as such, and not the content of any particular existing *nomos* or whether any particular *nomos* does or does not conflict with *physis*.
  - 20 According to Kerferd, Antiphon claims that it is actually *impossible* for a person to act contrary to *physis* ("The Moral and Political Doctrines," pp. 27-28). Kerferd argues for this on grounds that "*para to dynaton*" at 2.13 is to be taken as meaning beyond (contrary to) what is possible. However, the phrase cannot be taken in this way if Antiphon is attempting to present a coherent argument in this fragment. In cases where *nomos* and *physis* conflict, a person will violate *physis* in obeying the law. Antiphon cannot be saying that in these cases it is impossible to violate *physis*, for then it would be impossible to obey the law. And further, as already noted, *physis* would not be for Antiphon a reality

which is neutral in respect to the question of whether or not self-interest requires regard for the rights of others. But it would be neutral in this respect on Kerferd's view since all an agent would learn from consulting *physis* would be what actions are possible or impossible. Clearly Antiphon's argument requires that the *para-to-dynaton* passage be understood as follows: An agent suffers the same evil (loss) whether or not he escapes notice when he violates *physis* contrary to what *physis* permits or contrary to what it is possible to do without suffering loss. '*Para to dynaton*' is a parenthetical expression. Heinimann cites ancient texts in which this expression is used in the sense of beyond (contrary to) what is permissible or beyond the limit (*Nomos und Physis: Herkunft und Bedeutung einer Antithese im griechischen Denken des 5. Jahrhunderts* (Basel: Verlag Friedrich Reinhardt, 1945), p. 135, n. 39).

- 21 Later on, I argue that the third part of the fragment actually confirms the natural reading of his opening remarks. But in view of the fact that an analysis of the third part of the fragment would not be intelligible without a prior, detailed discussion of the first two parts, I must take a rather roundabout approach in discussing what kinds of *nomoi* conflict with *physis* on Antiphon's view.
- 22 Hippias is probably an example of someone who did not use this antithesis for these purposes. That is, although he objected to *nomoi* because they are changing constantly and impose 'unnatural' and arbitrary restrictions on men, he probably did not hold the view that prescriptions of *nomoi* prohibiting disregard for the rights of others are contrary to self-interest and hence that one should disobey such *nomoi* when one can get away with it. Hippias does not seem to have focused on questions of self-interest and thus apparently did not see *nomoi* as being antithetical to *physis* in virtue of their being antithetical to the self-interest of agents. Antiphon, however, is clearly interested in the issue of self-interest and sees the *nomos-physis* antithesis in terms of it. This marks an important difference between the two theorists, a difference that is generally ignored by those commentators who think the views of the two were rather similar (e.g., Bignone, pp. 70-71, 88). It is true that in a conversation with Socrates (Xenophon *Memorabilia* IV.iv.5-25), Hippias does say that laws which in themselves carry their own punishment if transgressed are better than other laws (IV.iv.24). As has often been pointed out, this view parallels Antiphon's remark that transgressions against *physis* (but not necessarily against *nomoi*) bring automatic punishment. However, Xenophon has Hippias present his views in such a theoretically unrigorous way that it makes it impossible to conclude anything about the relationship between the views of Hippias and Antiphon. As Moulton writes, "The Xenophontic parallel by itself does not sufficiently establish, as some have thought, any close connection of Antiphon's views with those of Hippias.... Xenophon's avowed purpose of redeeming Socrates from the charge of persuading the young to break the law... is so didactic that it clearly restricts... [the value of his account of Hippias' views] as evidence on philosophical questions" ("Antiphon the Sophist," pp. 334-335). For a summary of the views of Hippias, see Guthrie, III, 118-120. For an overview of the *nomos-physis* antithesis as employed by those interested in moral questions, again see Guthrie, III, 55-131 and Kerferd, *The Sophistic Movement*, pp. 111-130.
- 23 Critias was a politician, intellectual, dramatist, and a onetime companion of Socrates. The quote comes from the *Sisyphus*, one of his plays – although it is possible that the passage quoted should be assigned to Euripides. On this point, see Kerferd, *The Sophistic Movement*, p. 53 and n. 11.
- 24 The escaping-notice issue is also raised in Euripides' *Hippolytus*, 403-404 and in fr. 3 of Archytas, a Sicilian friend of Plato and a philosopher who lived in the first half of the fourth century B.C.
- 25 It is obvious, of course, that avoiding diminution of one's good is advantageous; and it is also clear that in avoiding this, one would ordinarily not find it beneficial to act immorally. But Antiphon needs to be concerned about actions which aim at an increase of one's good, for it is precisely those actions which are not always obviously compatible with morality.
- 26 For example, Moulton in "Antiphon the Sophist."
- 27 "The Moral and Political Doctrines," p. 32. Antiphon unfortunately does not spell out what he means by '*physis*'; but interpreting it as human nature, as Kerferd suggests, seems to me to provide the best reading of the passages in which this term appears. Moulton ("Antiphon the Sophist," pp. 333-334, 337, 341) expresses cautious agreement with Kerferd against those who hold that *physis* represents *only* the natural, biological aspect of human beings (e.g., Segal, "Reason, Emotion, and Society in the Sophists and Democri-

- tus," Diss. Harvard 1961, esp. 286, 311 and Havelock, *The Liberal Temper*, pp. 257-259, 277). Proponents of the biological interpretation of *physis* partly support their view on the ground that Antiphon talks about restrictions on *physis* as restrictions on bodily organs. However, restrictions are also said to be put on the desires of the mind; and it would not necessarily follow that Antiphon thought these desires to be exclusively directed at biological, naturalistic concerns. In point of fact, the passage which lists bodily organs does not in itself reveal what conception of human nature he had or what he thought was good for persons by nature except that this good, whatever it is, is in each person's self-interest. On pp. 71-72 and n. 66 below, I argue that the biological interpretation is not likely to be correct.
- 28 If, as seems likely, Antiphon uses '*physis*' in the sense of human nature, it is plausible to hold that he saw that nature as something which actually has the desire and aim of fulfilling itself. This is a common enough way of speaking about human nature; and, after all, Antiphon does say that restrictions on *physis* include restrictions on desires. In my discussion, I assume that Antiphon endows *physis* with aims and desires. His arguments are most easily and intelligibly spelled out when this assumption is adopted. However, nothing hangs on this assumption; in particular, it plays no essential role in my argument that in fr. 44A Antiphon does not think it is always in one's self-interest to observe moral requirements.
- 29 Antiphon's remarks about pleasure in this fragment do not, strictly speaking, show that he was a hedonist, someone who believes that pleasure is *the* good which is to be promoted by one's actions. Antiphon might be thinking that pleasure is merely a sign by which one recognizes that one's own good is being promoted. However, his emphasis on pleasure in the Stobaeus fragments, in conjunction with his remarks in fr. 44A, strongly suggests that Antiphon was a hedonist. And thus I adopt this view of Antiphon in my text. One further point: If pleasure is the good for persons and to promote this good is to act in accord with *physis*, then it might seem that an agent would be acting in accord with *physis* in obeying *nomoi* in the presence of witnesses since he would, under these circumstances, be promoting his own good or pleasure as best he could. On this view, *physis* would be the correct criterion for action for self-interested agents. However, this is not Antiphon's view. He emphatically argues that obeying *nomoi* which conflict with *physis* involves acting contrary to *physis* and *true* self-interest. Thus, *physis* is a self-interested agent's criterion for action *only* in circumstances when he does not need to act in accord with *nomoi* which conflict with *physis* – or in other words, only when he can escape notice in acting.
- 30 In his opening remarks, *nomoi* were said to have advantages and disadvantages because the community provides approval (advantage) for those who obey them and punishment (disadvantage) for those who do not. But in Antiphon's argument in the second part of the fragment, *nomoi* are said to have advantages in virtue of the fact that the community thinks that, if followed, they will result in advantages for the members of the community.
- 31 Kerferd, "The Moral and Political Doctrines," pp. 31-32; Moulton, "Antiphon the Sophist," pp. 337-338. In addition to the fact that these commentators virtually ignore the relationship of self-interest to *physis* or what is advantageous to *physis*, their framework of analysis differs in important respects from mine. What they are discussing is whether Antiphon adopted *physis* or what is advantageous to *physis* as *his own* criterion for action. Their discussion presupposes that *Antiphon's* criterion is to be characterized in one of those two ways. This presupposition conflicts with my analysis in two ways. First, I have only claimed, at this stage, that on Antiphon's view, action in accord with *physis* is what promotes true self-interest, not that Antiphon adopted self-interest as his own criterion. Second, on my view Antiphon did not think that self-interested agents ought to adopt *physis* (or what is advantageous to *physis*) as their criterion for action under all circumstances, but only when they can escape notice in acting. At any rate, in discussing Moulton's and Kerferd's position, I have found it necessary – in order to avoid distorting their position – to adopt their framework of analysis and presuppose what they presuppose.
- 32 Moulton and Kerferd do not themselves spell out precisely what does or does not constitute a radical attack on *nomoi*. Of course, the fact that Antiphon thought *nomoi* sometimes conflict with self-interest or *physis* would not represent a radical attack on *nomoi* unless he adopted self-interest as his criterion for action.
- 33 On balance, however, I prefer the third alternative. Even after his remarks about death and life being elements of *physis*, Antiphon still speaks in terms of actions being inimical to

*physis*, where he clearly means actions which are inimical to true self-interest (5.16-17). Further, the phrase 'advantageous to *physis*' need not imply that *physis* is sometimes misled in its pursuit of advantage. Antiphon might be using this phrase to mean that actions (things) are advantageous to *physis* when they promote those true advantages which *physis* infallibly aims for and pursues.

- 34 Since there is not enough evidence to decide which of the two views of *physis* Antiphon had in mind and since nothing important is at stake in this question, I shall for the sake of convenience continue to refer to actions which promote true self-interest as actions which are in accord with *physis*.
- 35 This is Moulton's view in "Antiphon the Sophist," p. 339.
- 36 Antiphon does not actually say the actions in the examples are in accord with *nomoi*, but this is clearly implied. The *nomoi* in question include written laws, customs, and regulations.
- 37 The Greek reads: *hoitines an pathontes amynontai kai me autoi archosi tou dran*. There are two ways to interpret Antiphon's example: (1) he is talking about those who act in self-defense, but do not initiate action against potential aggressors or (2) he is talking about those who act in self-defense, but do not take the initiative in attacking others, whoever these others may be. Interpretation (2) corresponds to the ordinary meaning of the Greek. On this interpretation, Antiphon would be claiming that unprovoked acts of aggression are in accord with *physis*. Thus, *nomoi* prohibiting disregard for the rights of others would be contrary to *physis*; and what I have called the natural reading of Antiphon's argument in this fragment would clearly be the right one. This may be the correct interpretation of the example; but if so, then Antiphon's first example is making a radically different point from the other two examples where he is clearly talking about agents acting contrary to *physis* by virtue of failing to get the better of their victimizers. Interpretation (1) makes the three examples parallel, and so is preferable. Many commentators have adopted this interpretation, including Havelock, *The Liberal Temper*, p. 284 and Kerferd, "The Moral and Political Doctrines," pp. 29-30.
- 38 In his opening remarks, Antiphon sees shame as one of the disadvantages an agent suffers if he is caught transgressing *nomoi* (2.3-9). Since it is not advantageous, under any circumstances, for self-interested agents to suffer this shame, it would clearly not be in their interests openly to disregard community customs (*nomoi*) which define the parameters of proper behavior. This point is missed by those commentators who focus on the question on the legal rights of children and who conclude that the *nomos*-abiding children in the example are actually treating their parents better than the law strictly requires them to. This is not Antiphon's point. It is not plausible to hold that Antiphon sees the children in the example, as well as the agents in the other examples, as agents who are practicing scrupulous behavior in accord with the Golden Rule, as suggested by Kerferd, "The Moral and Political Doctrines," p. 29 and Greene, *Moirai: Fate, Good, and Evil in Greek Thought* (Cambridge: Harvard Univ. Press, 1944), p. 238.
- 39 For details about this courtroom procedure and ways to use it to one's best advantage, see Aristotle, *Rhetoric* I, 1377a8-29.
- 40 To be precise, Antiphon says that obeying *nomoi* under these conditions would be 'not unbeneficial'. The significance of his use of 'not unbeneficial' is briefly discussed on pp. 64-65.
- 41 My analysis makes clear that Antiphon is concerned with two types of agents; but *perhaps* the '*kai*' (also, even) at 5.13 might lend additional support to my arguments. Kerferd notes that this word is usually ignored by translators ("The Moral and Political Doctrines," p. 30). However, Kerferd's interpretation of the force of the '*kai*' is not correct, given that his interpretation is tied to a misunderstanding of Antiphon's examples (see n. 38 above). I would tentatively suggest the following: From 2.23 to 4.24 (and perhaps in the *lacuna* at 4.25-31), Antiphon is primarily concerned with restraints which are inimical to *physis* by virtue of the fact that they prevent agents from increasing their good even at the expense of others. Then Antiphon gives three examples in which he is concerned with restraints which are inimical to *physis* by virtue of the fact they leave agents open to being injured by others and to suffering a diminution of their good. Antiphon concludes from the examples that anyone would find many of these things also (*kai*) inimical to *physis* (or alternatively, "in these cases also (*kai*), anyone would find many things inimical to *physis*"). The '*kai*' in this passage would thus represent an explicit acknowledgment by Antiphon that he is discussing in the examples a second kind of action which is inimical to *physis*.

- 42 II, 213. Barnes suggests this as one of the three possible views of what Antiphon is up to in fr. 44A.
- 43 "Antiphon the Sophist," pp. 341-343.
- 44 Of course, a very strong person, a tyrant for example, would (often) find himself in such a situation. Indeed, he could even be in a position to violate the rights of others almost at will. However, Antiphon is not concerned with this type of agent. He is picturing a community of equals where it is only advantageous to transgress *nomoi* when one can escape notice in doing so; and further, he is picturing agents who would not want to suffer the shame of being caught disobeying the laws. Antiphon's focus is clearly far different from Calicles' in the *Gorgias*. Antiphon *might* not raise the issue of the tyrant because he thought the tyrant does not promote his self-interest in engaging in rampant immorality. As the *On Concord* fragments indicate, it was Antiphon's view that self-interest requires the practice of self-control.
- 45 Of course, Antiphon only accepts Protagorean theory to a very limited extent. But if he had not accepted it to the extent that he does, his views would have been problematic indeed, given that he provides no hint of an argument that would support the view that men are better off without *nomoi*. Such an argument would not be easy to provide.
- 46 This makes it clear that Antiphon is not concerned in this fragment with the issue of bad *nomoi*. Nor is it his view in this fragment that *nomoi* invite aggression, make men enemies to each other, and condition them to a "perpetual posture of semi-hostility," as Havelock argues (*The Liberal Temper*, p. 286). It is self-interest which (sometimes) sanctions aggression; and self-interest is a characteristic of *physis*, not of *nomoi*. Havelock thinks Antiphon has a romantic notion of *physis*, a *physis* which has friendly, non-hostile, and non-aggressive impulses. But this is certainly not Antiphon's attitude in fr. 44A.
- 47 My claim that Antiphon's arguments are concise needs to be qualified. His arguments are so concise, in the sense of being so abbreviated and terse, that they require the reader to work very hard indeed to uncover his meaning and draw out implications – and even then some obscurities remain. Curiously, he combines this terseness with needless repetitions and amplifications (e.g., 5.17-24, 5.30-33, 6.9-18). On the whole, Hermogenes' description of Antiphon's style is an apt one (see p. 53 and n. 8 above).
- 48 Of course, Antiphon's criterion for action would be self-interest if he was a psychological egoist. However, I do not think that this fragment or any of the other ones shows that he held this belief. The fact that he sees human nature as self-interested and generally presupposes that men will act to promote their own self-interest is not sufficient to establish that he believed men only act from reasons of self-interest. Throughout my discussion, I will treat Antiphon as someone who was *not* a psychological egoist.
- 49 Unlike justice (II) and (III), justice (I) is only a partial conception of justice.
- 50 Diels-Kranz, II, 355. Kranz queries the passage where Antiphon introduces this conception of justice and writes: "Man erwartet *meden auton adikoumenon* entsprechend Col. I 12 ff."
- 51 See, for example, Bignone, pp. 103-109. In large part, Bignone justifies the presence of justice (III) in the text on grounds that it corresponds to what he thinks is Antiphon's ideal of concord (*homonoia*). For some other commentators who think justice (III) was Antiphon's ideal of justice, see n. 13 above.
- 52 This reflects ordinary Greek usage: '*adikein*' can be virtually equivalent to '*blaptein*' (see Sappho, fr. I.20; Plato *Prot.* 322b).
- 53 In making the point that justice (II) is incoherent, Antiphon is ignoring the fact that 'injustice' in the *definiens* can be understood as meaning something different from the opposite of 'justice' in the *definiendum*; that is, he is ignoring the fact that it would be legitimate (albeit awkward) to use 'injustice' in the sense of injury in the *definiens*, while using it in another sense in the *definiendum*.
- 54 The fact that 'justice'/'injustice' is used consistently in the *definiens* and *definiendum* makes justice (III) a coherent notion (in contrast to justice (II)); but this fact would also seem to make justice (III) a circular definition of justice. But the circularity in question is not significant in the context of Antiphon's overall discussion, for what he is really interested in is defining injustice in terms of any injury. The art of defining concepts was quite undeveloped in Greek thought of this period; and it is interesting to note that in Plato's *Crito* (49a-c), Socrates uses essentially the same approach as Antiphon in pointing out that justice (II) is incoherent.



- 55 According to justice (III), the following unjust acts have been committed: X's initial injury against Y, Y's retaliation against X, Z's injury against X in bearing true witness, and finally X's retaliation against Z. And of course, X, Y, and Z will all have suffered injustices.
- 56 However, I am not implying that Antiphon necessarily thought justice (III) involves the view that no action is just unless it benefit and not injure both the agent and recipient. It is possible to talk about actions benefiting and not injuring all parties involved without being committed to the view that it is necessarily in the interests of all the agents to have performed those actions. Say, for example, that X and Y engage in an action in which they regard each other's rights, but that X did not act in his self-interest because he would have been better off disregarding Y's rights. The action engaged in by X and Y benefited and did not injure X and Y (the parties involved) insofar as X and Y are exclusively thought of as recipients of each other's actions. X's action benefited Y, Y's action benefited X. Since Antiphon's discussion of justice (III) does not commit him to the view that acting contrary to self-interest involves an action which is unjust and contrary to justice (III), I shall not attribute this view to Antiphon.
- 57 The other fragments in question are the 12 Stobaeus fragments listed in n. 3 above. I identify these fragments as being from *On Concord* for purposes of convenience. I do not mean to imply that on my view, they do, in fact, come from *On Concord* or even that Antiphon ever wrote a work by that title. Titles of pre-Platonic works were probably not bestowed by their authors. As Havelock notes, "titles attributed to pre-Platonic thinkers are in an evidential sense likely to be worthless, reflecting as they do the librarianship and mental preconceptions of men trained in the Academy, Lyceum and Museum" (*The Liberal Temper*, p. 418).
- 58 Those qualities mentioned in fr. 59 and 61 like self-mastery and discipline are important for prudential reasons.
- 59 Pleasure/pain is also mentioned in fr. 51 and 54. All told, six of the twelve Stobaeus fragments raise the issue of pleasure and pain.
- 60 Or alternatively, the disadvantages would be extrinsic to acts of injuring. For present purposes, there is no need to be concerned with the distinction between defending moral action because of advantages of acting morally or because of disadvantages of acting immorally.
- 61 The argument for acting morally in fr. 58 *might* convince a rule egoist that he ought never to injure others on grounds that not injuring others best promotes self-interest in the long run. However, Antiphon is committed to defending moral action to an act egoist (see pp. 57-58). At the very least he would have to argue for the view that it would be in one's interest to be a rule, rather than act egoist. There is no indication that Antiphon held or argued for this view.
- 62 He also mentions *sophiai* (skills), but they would seem to be means to pleasures, rather than pleasures themselves. Antiphon in this fragment is not concerned with providing a careful list of pleasures or with distinguishing things which are pleasurable from things (goods) which are necessary to attain pleasure. He also lists *sophrosyne* as a good; and he is probably understanding '*sophrosyne*' as prudential self-control. However, since he lists this good between *doxa* and *eukleia*, he might be thinking of it as an other-regarding *arete* which one needs to practice to attain *doxa* and *eukleia*.
- 63 Of course, insofar as self-control is learned and reinforced by obedience and requires restricting the scope of one's desires, self-control would, at the very least, not be compatible with rampant immorality.
- 64 See n. 27 above.
- 65 Moulton makes somewhat the same point in "Antiphon the Sophist," p. 341.
- 66 Fr. 44B is not inconsistent with the other fragments insofar as this fragment need not be interpreted as making the claim that the procurement of biological needs is *the* good for persons. This claim does not necessarily follow from the fact that Greeks and barbarians are alike because by nature they both have physical organs and the ability to survive. Nor would this claim follow even if Antiphon argued in this fragment against class distinctions. Given that the claim in question does not necessarily follow from his remarks in this fragment and given Antiphon's views in the other fragments, it seems virtually certain that he did not see biological survival as the good for persons.
- 67 It needs to be emphasized that in discussing Antiphon's role, I am actually talking about the importance of the views and arguments which are found in his writings. Any theorist(s) who first argued for such views would have played the role I am attributing to Antiphon.

However, in the absence of any evidence to the contrary, it seems likely that it was Antiphon himself who played the role I am, so to speak, attributing to him.

- 68 It is my view that Democritus could not have developed his moral theory in the way that he did if he had not been exposed to the kinds of views and arguments found in Antiphon's writings.

#### NOTES TO CHAPTER FOUR

- 1 Commentators are in general agreement that Democritus was born around 460 B.C. The date of his death, however, is a more controversial issue. In suggesting that he died around 396 B.C., I am following Davison (pp. 38-39). For a general discussion of Democritus' dates and life, see Guthrie, II, 386-387.
- 2 For a discussion of the various writings of Democritus, see Freeman, *The Pre-Socratic Philosophers*, pp. 293-299.
- 3 It is a rather commonly held view that Democritus was not a systematic moral theorist. Bailey, for example, remarks that "Democritus' 'ethic' hardly amounts to a moral theory: there is no effort to set the picture of the 'cheerful' man on a firm philosophical basis..." (*The Greek Atomists and Epicurus* (New York: Russell & Russell, 1964), p. 522). For a selective bibliography of others who share Bailey's view, see Guthrie, II, 492, n.1. In general, those commentators who disagree with Bailey's assessment do so on grounds that there is a systematic connection between Democritus' ethical and physical theories. However, my analysis in this chapter will show that Democritus' moral views are philosophical, systematic, and perfectly intelligible apart from any consideration of their connection to his physical views. And, in fact, I shall not discuss this issue. On my view there is simply not enough evidence to establish the connection in question. Vlastos' attempt to establish it is the most elaborate, impressive, and ambitious one to date ("Ethics and Physics in Democritus," *Philosophical Review* 54 (1945), 578-592 and 55 (1946), 53-64). Taylor, however, has convincingly shown that Vlastos' arguments are open to very serious doubts ("Pleasure, Knowledge and Sensation in Democritus," *Phronesis* 12 (1967), 6-27, esp. 8-16). Barnes (II, 231-232) briefly evaluates the various theories of those who argue for a systematic connection between Democritus' ethical and physical views and concludes, rightly I think, that the fragments do not support their theories. Indeed, the very attempt to establish the connection may be questionable. As Barnes remarks, "Ethics and physics, so far as I can see, have no systematic interconnexion at all; in many boring little ways a man's natural philosophy will rub off on his moralizing, but no general or systematic influence is even conceivable. The long scholarly discussion of the possible 'materialistic foundation' of Democritus' ethics is empty...." On the other hand, ethics and physics can, as Barnes notes, be inconsistent. And they appear to be in Democritus: his physical theory is deterministic, while the ethical fragments take it as given that man has free will. On this point, see Bailey, p. 188.
- 4 Essentially two arguments are employed to cast doubt on the authenticity of the ethical fragments, specifically those fragments preserved in the Stobaeus anthology (frr. 169-297) and the fragments in the Democritus (*sic*) collection (frr. 35-115). First, no ancient source, including Plato and Aristotle, even mentions that Democritus had any interest in moral theory until Seneca in the first century A.D. remarks that Democritus wrote an excellent book about *euthymia* (*De tranquillitate animi* II.3); if Democritus had been the author of ethical writings, surely the ancient sources would have mentioned them and discussed his views. And even if one could explain how the ancient sources could have been silent about Democritus' moral theory for over four hundred years, one could not give a reasonable account of how his ethical writings would have been preserved and transmitted. This first argument has been plausibly countered by both Stewart ("Democritus and the Cynics," *Harvard Studies in Classical Philology* 63 (1958), 179-191) and Voros ("The Ethical Fragments of Democritus: The Problem of the Authenticity," *Hellenica* 26 (1973), 193-206). In brief, Stewart argues that (1) the Cynics were interested in various aspects of Democritus' moral views and thus preserved his ethical writings and (2) for a variety of reasons, the other ancient philosophical schools were not interested in his views or were actually hostile to them. Voros agrees that it was the Cynics who were originally interested in Democritus' moral theory, but additionally argues that Democritus' ethical writings

became available at the Ptolemaic Library in Alexandria and that Seneca, Clement, and perhaps even Diogenes Laertius actually read Democritus' book on *euthymia*, a book which could have been available later to Stobaeus. The second argument against the authenticity of the ethical fragments is that they are trivial and hence could not have been written by a first-rate thinker like Democritus. Guthrie relies heavily on this argument (II, 489-492). It is my view, however, that they are not trivial; and I trust that my analysis of them in this chapter will convince the reader of that view. Given that the ethical fragments reflect concerns which were current in Democritus' lifetime and given the lack of force of the two arguments against the authenticity of the ethical fragments, I see no reason not to attribute these fragments to Democritus. Of course, the case for the authenticity of the fragments would be secured if it could be established that there is a connection between Democritus' views in the ethical fragments and his physical theory; but as suggested in n. 3 above, such a connection cannot be established.

- 5 On p. 84, I defend the view that the intelligence and knowledge referred to in fr. 181 are to be understood as (self-regarding) practical wisdom or prudence.
- 6 The Greek reads: *toisi gar peithomenoisi ten idien areten endeiknysai*. '*Idien areten*' could mean either (1) the excellence (*arete*) which belongs to *nomos* or (2) the excellence which belongs to men (if they obey *nomos*). Colvin notes that translators have wavered in their interpretation of this passage; but he concludes, rightly I think, that '*idien areten*' is best interpreted in sense (2) ("A New Look at the Ethics of Democritus," Diss. Indiana Univ. 1974, pp. 104-105).
- 7 It needs to be kept in mind throughout that I am not claiming that Democritus was necessarily directly attempting to refute Antiphon, but rather that he was attempting to refute those who held views similar to Antiphon's.
- 8 Diels-Kranz, 68.A167.
- 9 *Lives of the Philosophers* IX.45.
- 10 Diels-Kranz, 68.B4.
- 11 McGibbon suggests the different terms Democritus used for the ideal state were related as follows: "*Euthymia*, *eusto* and *eudaimonia* are wider terms than the others, the last two perhaps describing the ideal state in an overall way from an outside viewpoint, while *euthymia* gives emphasis to the subject as actually feeling. *Harmonia* and *symmetria* refer to the balance in the ideal state, the former perhaps emphasizing the difference of the ingredients which go to make it, the latter stressing the correct proportion in which these different ingredients are mixed. Finally, *ataraxia* and *athambia* indicate that the ideal state is not subject to disturbance" ("Pleasure as the 'Criterion' in Democritus," *Phronesis* 5 (1960), 75-77, esp. 76-77).
- 12 In my discussion of Democritus' conception of the good for persons, I shall not attempt to give a complete characterization of the man who possesses *euthymia*. I restrict my analysis to what will be relevant to the issue of the compatibility of morality and self-interest.
- 13 Taylor sees overall pleasure as the central feature of Democritus' notion of *euthymia* ("Pleasure," pp. 16-19). I generally agree with his view.
- 14 Indeed, his argument would not be valid if it were not directed against those who derive their pleasure exclusively from sensations. If the people Democritus is discussing in this fragment derived their pleasures from sensations and other things, it would not necessarily be true that their souls would always be in a constant state of unrest. Whether or not their souls would be in such a state would depend on what additional pleasures they pursued and how they pursued them.
- 15 For example, Natorp, *Die Ethika des Demokritos: Text und Untersuchung* (Marburg, 1893) and Voros, "The Ethical Theory of Democritus: What is the 'Criterion'?", *Platon* 27 (1975), 20-25.
- 16 As far as I can tell, absolutely nothing can be made of the fact that the word for pleasure in fr. 188 is '*terpsis*' while in fr. 74 the word used is '*hedu*'. Voros thinks differently: for him, *terpsis* is Democritus' term for intellectual pleasures, while *hedu* is a term used for any pleasure ("The Ethical Theory of Democritus: What Is the 'Criterion'?", pp. 22-24). But it seems to me that these two terms (or cognates) are used synonymously in frs. 211 and 235. Indeed, the *terpsis* in question in fr. 235, far from being intellectual pleasure, is that short pleasure derived from sensations immediately after, say, eating or drinking. See also n. 20 below.
- 17 As Vlastos argues, talk of the divine and the gods (e.g., fr. 175) is not to be taken literally ("Ethics and Physics," pp. 580-582). The existence of life after death is denied in fr. 297.

- 18 My analysis of Democritus' conception of human good so far in this chapter suggests, but does not actually establish that he did not hold such a theory. What I have said about his views could be spelled out in such a way as to be made compatible with the view that intellectual pleasure is the criterion for advantage.
- 19 Taylor nicely shows that some of the fragments thought to refer to intellectual pleasures (e.g., fr. 194, 112) are best interpreted in a different way ("Pleasure," pp. 6-8).
- 20 This circumstance is simply too uncommon for Democritus to have emphasized the need to moderate intellectual pleasure. And the fact that it is ordinarily inappropriate to talk about moderating intellectual pleasure is another indication that *terpsis* is not Democritus' word for intellectual pleasure; for in fr. 191 and 211, he specifically mentions the need to moderate *terpsis* (fr. 191) and *ta terpna* (fr. 211).
- 21 Again, since Democritus is talking about moderation in pursuit of pleasure, he would not be talking about intellectual pleasures in these two fragments (211 and 233). Fr. 211 merely claims that moderation increases pleasure; and it would be implausible to suggest that this claim involves the view that moderation of lower pleasures increases intellectual pleasures.
- 22 Democritus would not be claiming wealth is a potentially dangerous possession if he had moderate wealth in mind, given that he thinks moderate wealth is safe (fr. 285). Further, the fact that wealth is juxtaposed with fame (*doxa*) also indicates that the level of wealth in question is substantial.
- 23 I am not, of course, implying that Democritus thought any given person should pursue all available pleasures. Besides, Democritus remarks in fr. 69 that what is good and true is the same for all men, but that this is not the case for what is pleasant. Thus, what pleasures a particular person actually pursues will depend on his temperament although it is in each person's interest to balance the pleasures in his soul so as to promote *euthymia*. A person's temperament might be such that he finds his pleasure in intellectual pursuits and finds no pleasure in wealth and possessions beyond the barest minimum needed for survival. But, of course, most people do not have such a temperament; and as I have been, in effect, arguing in the text, Democritus does not suggest that it is each person's true good to have or work towards having such a temperament or to measure advantage by the standard of what promotes intellectual pleasure.
- 24 My resolution of the apparent discrepancy between fr. 188 and 74 comes closest to Taylor's ("Pleasure," pp. 16-19). For other attempts to resolve the apparent discrepancy, see Vlastos ("Ethics and Physics," pp. 586-590) and McGibbon ("Pleasure," pp. 75-76).
- 25 "Pleasure," pp. 7, 17-18.
- 26 Democritus would agree with this truism on grounds that desire and pursuit of the impossible would create constant disturbances in one's soul and because one would always be feeling deficient and desiring more (than one has).
- 27 Traditionally the Greeks were of the view that one important component of good fortune was abundant wealth. In fr. 286 Democritus counters this view to some extent: "The man of good fortune is one who is happy with moderate means; the man of ill-fortune is one who is unhappy with great possessions."
- 28 Fr. 83 is almost certainly referring to immoral action. Democritus regularly uses '*hamartia*' (and cognates) to designate actions which involve disregard for the interests of others. See fr. 41, 181, 253, and 265; but cf. fr. 228.
- 29 Many of the fragments mention or imply that one needs to act with intelligence in order to promote one's self-interest. See also fr. 52, 54, 58, 119, 236, 292.
- 30 Guthrie (II, 490) notes that fr. 45 is "astonishingly Socratic or Platonic" and thinks it is one of the fragments that indicates that the ethical fragments are not authentic. It could also be noted here that fr. 45 is one of the fragments from the Democrites collection, fragments whose authenticity is more open to doubt than those found in Stobaeus. However, my interpretation of Democritus does not depend on fr. 45 being authentic. It would still be clear from other fragments that (1) he held the view that acting morally promotes one's self-interest and (2) he thought he could provide a substantive defense of that view.
- 31 pp. 59-60 and n. 23.
- 32 p. 32. Irwin's remarks about Democritus are brief, and I have added some details to the argument he attributes to Democritus.
- 33 I discussed this passage from the *Protagoras* on p. 44.
- 34 The arguments of Socrates which Irwin seems to have in mind are found in the *Gorgias*, *Republic* I, and perhaps even *Republic* IV, as well as those partial arguments found in

- various early dialogues. Irwin provides a thorough and excellent critique of these arguments throughout his book; but see especially pp. 52-53, 57-60, 125-127, 177-189, and 212-217.
- 35 The issue here is complicated. On the one hand, the notion of *euthymia* as complete satisfaction involves the view that it is not in one's self-interest to act immorally – on the assumption that such action only occurs when one attempts to increase one's goods. On the other hand, it does not in any obvious sense involve the further view that increasing one's goods is not in one's self-interest *because such action is motivated by jealousy*. But in the present context, it is precisely this further view which needs to be defended. Democritus would be able to present the following plausible argument: (Virtually) everyone's good is sufficient for the good life; and everyone can and should experience his good as fullness. Dissatisfaction arises when someone compares his own goods with the goods others have and, as a result, finds his own goods deficient. This is the source of jealousy. The jealousy in question, however, would not necessarily involve ill-will towards others or the desire to increase one's good at their expense.
- 36 To determine how many different circumstances there would be in which acting unjustly might be beneficial, one would need to spell out in detail all the restrictions Democritus placed on pursuing an increase of goods. I have not tried to spell out either of these things in detail. To do so would not be productive – or even fair to Democritus – unless we had more of his writings.
- 37 Democritus probably did not consider his argument from fear an important one because he recognized its weakness and because he, like Socrates/Plato, wanted to defend just action on grounds of its intrinsic advantages. The complete text of fr. 41 is as follows: “Do not refrain from wrongdoing because of fear, but because of what is necessary/needful (*to deon*).” Voros takes ‘*to deon*’ to mean moral duty and calls this fragment “the noblest moment” of Democritus’ moral theory (“The Ethical Theory of Democritus: “On Duty,” *Platon* 26 (1974), 113-122, esp. 119). I do not think ‘*to deon*’ means moral duty, but the issue here is complex and concerns the question of whether Democritus had a notion of conscience and adopted the moral point of view as his criterion for action (in circumstances where the interests of others are at issue). If he did adopt this criterion, then it would be his view that agents should act morally whether or not such action is in their self-interest. Inasmuch as Democritus thought moral action congruent with self-interest, practically speaking, nothing is at stake in the question of whether or not he adopted the moral point of view as his criterion for action (in appropriate circumstances). My own view is that he did not adopt this criterion, but I do not have room to discuss this issue here. I hope to do so in a future paper.
- 38 In the claim that altruism is a component of one's own good, the good in question cannot be (exclusively) egoistic or self-interested. The good of altruism cannot be defended on grounds of self-interest: to act altruistically is precisely *not* to act from reasons of self-interest. One could only argue that agents have *self-regarding* reasons to act altruistically. For the distinction between self-regarding and self-interested reasons, see n. 2 in Chapter One.
- 39 pp. 254-259. The notion of altruism as a component of one's own good is not a prominent feature of Plato's and Aristotle's moral theory. In fact, I am not entirely convinced that Plato even had this notion.
- 40 I realize that I am being rather speculative in constructing an argument which the evidence suggests Democritus might have used if he argued for a view which I think he might have held. However, it is for the purpose of exploring all possibilities that I construct the argument.
- 41 Two things need to be noted here. First, the mourning in question (*olophyresthai*) obviously cannot be such that it is incompatible with *euthymia*. And second, the text of the fragment does not actually specify who should be the object of mourning: oneself or the others who have met misfortune. The argument requires that the man with *euthymia* mourn for others, and not just for himself; but, of course, this step in the argument is the crucial and controversial one.

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